

JAPAN AND UNITED STATES

London Daily Mail Editorializes on Alleged Possibility of War Between Them.

AN EXAGGERATED VIEW OF THE SITUATION

San Francisco School Question Seems Much More Momentous in European Eyes Than It Is in Golden State.

LONDON, Dec. 3.—The Daily Mail publishes an editorial this morning on the difficulties of the United States with Japan over the school question in San Francisco. The paper is of the opinion that, in spite of the gravity of the situation, owing to the fact that President Roosevelt has no power to coerce California, it is foolish to suggest that Japan would enforce her rights at the expense of the United States. "Japan certainly has no intention of picking a quarrel with the United States," the paper says. "America has been her firm friend in the past, her rulers will be able to make allowances for the difficulties of America and as President Roosevelt is certain to meet Japan's requests in a fair and kindly spirit, the incident will pass and be forgotten."

YOKOHAMA, Dec. 3.—Cinema-tograph pictures of Japoor Schmitt and other officials of San Francisco, who are said to be responsible for the segregation of Japanese children in the public schools, have been prohibited by the police on the ground that they are subversive to public order. The press continues to comment diplomatically on the situation.

NORTHERN NURSERYMEN EN ROUTE TO HANFORD VISITED AT SANTA ROSA

SANTA ROSA, Dec. 3.—The delegation of Oregon and Washington nurserymen, on their way to the meeting of the California Nurserymen's Association at Hanford, were entertained here today by the Chamber of Commerce. Afterward they visited the home of Luther Burbank, where some time was spent with the noted horticulturist.

DIED SUDDENLY WHILE READING PAPER ALOUD TO HIS WIFE

STOCKTON, Dec. 3.—While reading a newspaper aloud to his wife, Fred E. Gehrick, a refugee from San Francisco, fell dead in his room at No. 25 Washington street last night from heart disease. Gehrick and his wife were burned out at the time of the fire. They came to Stockton, where they have been living several months.

SHERIDAN'S STRANDING WILL BE INVESTIGATED

Unusual Current Which Is Blamed for Accident Is Verified by Ship's Officers.

SAN FRANCISCO, Dec. 3.—The stranding of the transport Sheridan on a reef near Barber's Point, Oahu, last night, was the subject of an investigation being set on foot by John K. Bulger and C. T. Holmes, United States inspectors of boilers and hulls.

The current, which is given in the sailing directions as having a southerly tendency, was on that night setting toward the north, witnesses testified, and was during the weeks the boat was on the rocks, very variable. The about water where the Sheridan struck, it is said, is not on the chart. Captain Peabody said he had taken the Sheridan on fifteen trips across the Pacific and that he steered his usual course.

WHALE CAPTAIN CHARGED WITH CRUELTY

Sailors Say He Triced Them Up and Kept Them Without Suitable Food.

SAN FRANCISCO, Dec. 3.—Members of the crew of the Arctic whaler Herman, man, complaint today to United States Attorney Robert T. Devlin, against Captain Walter S. Varum, declaring that he had treated them cruelly while in the Arctic early in 1905. A complaint was sworn to by George R. Castleman and a warrant for the arrest of Varum was issued by United States Commissioner Heacock.

The complaint charges Captain Varum with having, on January 7, 1905, triced up the crew, array Reynolds, William J. Noble and William Pressley for one hour at such a height that their toes could touch the deck only at intervals. The other counts of the complaint charge the defendant with impeding the men from going to the toilet for fifty-eight days without suitable food and with having severely beaten Castleman on October 10, 1905.

TOURED THE WORLD IN FARMERS' INTEREST

Explorer Hansen, of the Department of Agriculture, Is in San Francisco.

SAN FRANCISCO, Dec. 3.—N. F. Hansen, explorer for the department of agriculture at Washington, arrived today on the steamer China from a tour of the world in search of rare specimens of plants and trees that would be of economic value to the farmers of the United States. He was eminently successful in his mission, but declined to go into details regarding his discoveries.

EXPRESS OFFICE ROBBED ON CANADIAN PACIFIC AND ROBBERS ESCAPED

VANCOUVER, B. C., Dec. 3.—The local police have been apprised of a daring robbery at Eschaw, a station on the line of the Canadian Pacific railroad. When the train reached Eschaw, it was discovered that the express office had been broken into and a large quantity of valuables stolen, including money estimated at \$2000, and the contents of the office scattered everywhere. No clue to the perpetrators of the robbery has yet been found.

EXPECTS TO GO TO PRISON INSURANCE CANCELLED

Teamsters' Leader Young So Tells the Court.

He Also Tells How He Struck a Non-Union Man During the Strike.

CHICAGO, Dec. 3.—Albert Young, former president of the teamsters' union, and president of the United Teamsters of America, was again called to the stand today when the trial of Cornelius P. Sten, president of the International Brotherhood of Teamsters, was called.

"Do you remember an occurrence that took place during the teamsters' strike in 1903, near the Washington street tunnel?" asked Assistant State's Attorney Miller.

"I do."

"Who was there at the time?"

"Ferry McCarthy, business agent of the truck drivers' union, and myself."

"What happened there?"

"I saw a man hit a driver employed by Franklin MacVeigh & Co., and knock him down. When the man got up, I hit him myself."

Young remained on the stand the entire day and will continue tomorrow. On cross-examination he testified that in turning State's evidence there was no personal enmity against Sten. Young declared that he had pleaded guilty because he believed he had not been treated fairly.

"Do you expect to go to the State penitentiary as a result of your confession?" Young was asked on cross-examination. He promptly replied, "Yes, sir."

SHORT SESSION OF CONGRESS BEGAN WITH DAY OF ROUTINE

Senator Penrose Sprang the Only Sensation By Moving for Inquiry About Negro Troops

PRESIDENT SENT NOMINATIONS TO THE SENATE INCLUDING SEVEN CABINET CHANGES AND MOODY'S SELECTION FOR SUPREME BENCH BUT THEY WERE LAID OVER, ON THE GROUND THAT NO MESSAGE HAD YET BEEN RECEIVED FROM THE EXECUTIVE—SPELLING REFORM MAY LEAD TO LENGTHY DEBATE.

WASHINGTON, Dec. 3.—The fifty-ninth congress began its last session at noon today. It took the senate fifteen minutes to arrange its preliminary and the house an hour.

The senate received from President Roosevelt a long list of appointments for its confirmation and in executive session of nineteen minutes' duration, it was decided that as the nominations had been received before the body had organized formally, to make no preliminary consideration of the president's annual message had been received and the session fairly started.

Senator Penrose of Pennsylvania and Foraker of Ohio came forward with resolutions of inquiry regarding the discharge during the month since adjournment of the negro troops of the Twenty-fifth infantry. One was addressed to the president and the other to the secretary of war. After the ripple of surprise had passed, and Vice President Fairbanks had suggested that it was unusual to transact any business until the president's message had been received, the resolutions went over by unanimous consent.

Senator Dismont of Delaware took the oath of office.

The opening of the two houses was witnessed by an animated throng which filled the galleries to their capacity. Hundreds went away disappointed on not gaining admittance to witness the session of either senate or house.

Not in years has a larger number of members-elect of the lower house of congress presented themselves at the speaker's desk to take the oath of office. Death has been unusually active among the membership during the closing days of the last session and the beginning of the present, and Chaplain Couden, feelingly called the attention of the body to the work of the true Reapers during the month since adjournment.

Speaker Cannon appointed Representative James R. Mann of Illinois as a member of the board of regents in the Smithsonian institution, vice Robert R. Hitt of Illinois, deceased.

The galleries of the house were crowded at an early hour. The absence of flowers from the desks of the members was much commented on, but the order of the speaker prohibiting the floral display was generally commended for its good sense. A similar rule was made in the senate two years ago.

Mrs. Nicholas Longworth, daughter of the president, occupied a seat in the executive gallery accompanied by Miss Hagner, social secretary of the wife of the president.

The routine work of the house incident to the opening day was quickly disposed of, the roll call showing nearly 200 members present.

Representative Bourke Cockran of New York, who recently married Miss Tilden, was the subject of hearty laughter when his personal request that he be permitted to absent himself for an indefinite period, on account of business, was laid before the house by the speaker.

After the appointment of the usual committee to wait on the president and inform him that the house was organized and ready to receive any communication he might desire to make of interest to the public service, the house adjourned out of respect to the memory of the deceased members.

President Roosevelt's message will be received, both in the house and senate tomorrow.

No bills were introduced in the senate. In the house there were thirty-eight public measures and 330 of a private character.

WASHINGTON, Dec. 3.—The fact that both houses of congress were to meet today for the short session led the effect early in the day of giving the capital an appearance of activity such as it had not presented since the adjournment last June. The first day of a session never develops much of interest to those used to attending the sessions of congress, but no other day of the session seems to possess more charm for the average citizen. The corridors were not without visitors even before senators and members had begun to arrive and there was a marked increase as the day advanced. Most of the attendants were from out of the city and there was the usual importance of members for tickets. These were, as usual, freely given.

DISMISSALS OF NEGRO SOLDIERS

Senator Penrose Sprang a Resolution of Inquiry, Out of the Usual Order.

WASHINGTON, Dec. 3.—Surprise lit up the faces of the senators when Penrose injected into the formal opening ceremony of that body a resolution of inquiry addressed to the president regarding the discharge of three negro companies of the Twenty-fifth infantry.

When Penrose said he had a resolution for which he would like immediate consideration, Vice President Fairbanks arose and after hesitating a second, remarked:

"The usual rule is not to consider resolutions or miscellaneous matter until after the message of the president is received."

"Then," rejoined Penrose, "I shall ask unanimous consent to have the resolution read."

This was granted. It follows: "Resolved, That the president is requested to communicate to the senate, if not incompatible with the public interests, full information bearing upon the recent order dismissing from the military service of the United States three companies of the Twenty-fifth regiment, colored."

Foraker of Ohio was on his feet at once, saying: "I have a substitute for that resolution and I ask that it be read and that both lie over."

Speaker secured the re-reading of the first resolution and Warren, of Wyoming, asked that both go over.

The Foraker resolution was read at his request. It is addressed to the secretary of war, directing that official to furnish the senate copies of all official letters, telegrams, reports and orders filed with the war department in connection with the recent discharge of the troops in question, together with a complete list of the men discharged, showing the record of each and the amount of retired pay to which each was entitled.

Senator Foraker explained the purpose of his resolution, in an interview as follows: "The resolution speaks for itself. I cannot discuss it. I will say, however, I have no purpose of raising the race question. The question involved is greater. It would be unfortunate to have it narrowed down by drawing the color line. It concerns white as well as colored soldiers."

"It is a question of constitutional power on the one hand, and constitutional and statutory rights on the other. Until we have a complete record, I do not know just what questions will arise, but we may have to consider whether a man can be convicted of felony by order and whether, following such a conviction, sentence may be imposed and punishment inflicted by order."

"Discharges without honor may be granted, where they are not based on an offense against the law of the land, the commission of which is denied and where no punishment follows. But where there is conviction, sentence and punishment, I have always supposed there would have to be also a trial, either in a civil court or in a court martial, or before some other tribunal thereunto duly appointed by law."

"But it is idle to discuss any of these questions until we know whether they are raised by the record."

The opinion that the short session would witness little legislation beyond the passage of the appropriation bills.

"But, if anyone thinks we will not find something to talk about, he has another guess," said one of them and there was general acquiescence.

Reformed Spelling.

The question of spelling undoubtedly will receive attention at the hands of congress this week. The subcommittee of the house committee on appropriations, which prepared the executive and judicial appropriation bill will report that measure to the full committee with the old form of spelling retained and it will be for the committee to decide whether the simplified spelling method shall be used. There is a possibility that the Congressional Record will contain both styles of spelling.

MANY NOMINATIONS BY PRESIDENT ROOSEVELT

Seven Cabinet Changes and Supreme Court Appointment Were All Laid Over.

WASHINGTON, Dec. 3.—Seven cabinet changes and one appointment to the supreme court bench were sent to the senate today by President Roosevelt, but they were not confirmed, in accordance with general custom regarding such important nominations. It is said that there is no opposition to the appointments for the cabinet and to the nomination of the attorney general, William H. Moody, to be associate justice of the supreme court, despite the fact that it was determined to refer these nominations to committee for report. The reason advanced for the delay is that no message of any character had been received from the president, and therefore it would not be proper to transact business.

The nomination, in addition to those of the cabinet members and supreme court justice, are as follows: Civil service commissioner—John Avery McElhenny, Louisiana. Interstate commerce commission—Edgar E. Clark, Iowa; James S. Hays, Illinois; Jackson Clements, Georgia. Officials of the United States court for China—Judge R. R. Willey, Missouri; district attorney, Arthur Bassett, Missouri; marshal, O. R. Leonard, Michigan; clerk, Frank E. Hinkley, California.

Minister to Panama—Herbert G. Squires, New York. Secretaries of embassies—Spencer P. Eddy, Illinois, at Berlin; H. P. Lodge, Massachusetts, at Tokio. Second secretaries of embassies—George Post Wheelock, Washington, at Tokio; Paxton Hibben, Indiana, at Mexico City.

Third secretary of embassy—Bailey Ames, Pennsylvania, at St. Petersburg. Secretaries of legations—Charles S. Wilson, Maine, at Havana; William M. Langhorne, Virginia, at Christiania, Norway; William Heimke, New York, at Havana.

Counsel general—William P. Kent, Virginia, at Guatemala City, Guatemala. Consuls—George A. Bucklin, Jr., Oklahoma, at Chunchu, Saxony; H. S. Brant, Pennsylvania, at Jerez de la Frontera, Spain; A. W. Brickwood, Jr., Arizona, at Puerto Cortes, Honduras; J. G. Carter, Georgia, at Tamatave, Madagascar; E. L. Harris, Illinois, at Smyrna, Turkey; W. L. Lowry, Illinois, at Vienna, Germany; Thomas P. Norton, Ohio, at Garmisch, Saxony; G. Seyfert, Pennsylvania, at Collingwood, Ontario; J. H. Shirley, Illinois, at Charlottetown, P. E. I.

Circuit judge for the third judicial district—Joseph Buffington, Pennsylvania.

Assistant attorney general—A. W. Conroy, New York.

United States attorneys—W. C. Bristol, Oregon.

Collector of customs—C. W. Carnahan, Oregon.

Postmaster general of the navy and chief of the bureau of supplies and accounts—Eustace B. Rogers.

Postmasters—California: Lizzie McGann, Richmond; H. W. Nash, Stirling City.

Opposition to the confirmation of Attorney General W. H. Moody to be associate justice of the supreme court is not anticipated by his friends in the senate. It has been reported that Senators Bailey and Tillman would contest the nomination, because of their belief that Moody had broken faith with them while acting as the representative of President Roosevelt in negotiations with these Democratic senate leaders during the late legislative fight in the last session of congress.

Senator Bailey, before leaving for Texas a few days ago, told some of his colleagues that he would not oppose the confirmation. Senator Tillman announced today that he would not go further than to make a few remarks concerning these incidents when the Moody nomination is considered in executive session.

Japanese. He said the California delegation probably will hold a meeting within two weeks for the discussion of the situation, and doubtless will act as a unit in case decision is reached to urge the passage of any special measure.

Two Japanese exclusion bills, one by Representative McKinley of California, and the other by Representative Hayes of California, are pending in congress. Representative Needham of California was the first member of the delegation from that state to reach the capital. Needham, not being from the San Francisco district, is consequently not in close touch with the situation in that city arising from the exclusion of Japanese from the public schools attended by white children. He said, however, that he believes the present agitation will gradually die out and the situation will quickly settle itself.

In the Senate.

Three days with the traditional literary card in the hand of Vice President Fairbanks brought sudden stillness over the thronged galleries surround-

ing the senate chamber and ushered in the first minutes of the senate's last session of the fifty-ninth congress at noon.

Senator Teller was the first to take his seat, a full half hour before the gavel fell. Senator Platt of New York came in leaning heavily on the arm of an attendant. Senator Daniel of Virginia came next; then Senator Benson of Kansas, Senator Depew of New York took his place in the row with his colleagues.

One of the familiar faces most missed was that of Senator Allison. He has arranged to remain at his home at Dubuque, Iowa, until after the holiday recess.

Most of the prominent Democrats were in attendance, one exception being Senator Bailey who left Washington a few days ago for his home in Texas. For fifteen minutes before noon there was a general reception on the floor with greetings and congratulations.

When the final signal for the session was given the usual routine of organizing was begun. The oath of office was taken today by Senator Dismont of Delaware. After the introduction of the resolutions regarding the discharged negro troops, nominations from the White House were received, after which the senate went into executive session.

In the House.

Victors and vanquished foes gathered in the hall of the house today to congratulate and sympathize with one another over the results of the November ballot.

The crowds came early and when the speaker's gavel fell at 12 o'clock the galleries were jammed with gaily dressed women, adding much to the picturesque of the scene. The appearance of Speaker Cannon was the signal for a hearty round of applause from the members and the galleries, which lasted until he brought the gavel down concluding the last session of the fifty-ninth congress.

Immediately following the prayers of the chaplain the roll was called by states.

After the roll call, and without objection, the members-elect, presented themselves and the oath was administered.

Frank H. Wasky, the new delegate from Alaska, was presented and applauded by Cushman of Washington, who accompanied the delegate to the hall of the house, where the oath was taken.

Lowden of Illinois announced the death of his predecessor, Robert Hitt, and stated that later he would ask the house to set aside a date to pay tribute to his memory.

A committee of three was appointed to meet with a like committee of the senate to inform the president that the two houses were organized.

Then, as a mark of respect to deceased members, the house adjourned until tomorrow.

President's Nominations.

The president today sent the following nominations to the senate:

Secretary of the treasury, George B. Cortelyou.

Attorney general, Charles J. Bonaparte.

Postmaster general, George L. Von Meyer.

Secretary of the navy, Victor H. Metcalf.

Secretary of the interior, James R. Garfield.

Secretary of commerce and labor, Oscar Strauss.

Associate justice supreme court, William H. Moody.

The nominations were not confirmed at once, but were referred to a committee. It is stated, however, that there is no opposition to the appointments.

Show's Estimates.

The secretary of the treasury today transmitted to congress estimates of appropriations required for government services for the fiscal year ending June 30, 1908.

The grand total is \$489,028,433. The appropriations for the fiscal year 1907 were \$791,351,306.

NEW YORK, Dec. 3.—Capt. C. L. C. Leach of the battleship Utah, which arrived Sunday from the Pacific station, declared himself in favor of view animals for the navy, and pointed out the pressing need for such an officer in the far East. He said:

"For a nation with our naval pretensions, we are placed in the most undignified position on account of this very matter of parks, or rather lack of it. Whenever you will go out there you will find the commanding officer of our naval bases, and as a consequence all having to play second fiddle. Whether in banquet reception, review, all the same, we are all the time at the tail end of the procession. Every one of the leading maritime nations has vice admirals on the station. Great Britain, Germany, France, Japan all save our own."

It is the Ohio's first appearance here, she having been constructed by the Union Iron works of San Francisco and having previously been attached to the Asiatic station and most of the time as flagship of the United States naval forces in the Far East. Her coming here now is in pursuance of a policy recently adopted by the navy department, by which all of the battleships have been withdrawn from the Asiatic station.

This later output of the firm that

EUROPEAN POLITICAL AFFAIRS

Spain's New Ministry Resigned and the Only Solution Seems to Be New Election.

CRUELITIES IN CONGO IN GERMAN REICHSTAG

British House of Lords Finished Debate on Report Stage of Education Bill and Compromise Seems Impossible.

MADRID, Dec. 3.—The cabinet has resigned. The resignation of the ministry was followed by hostile demonstrations in the chamber of deputies. King Alfonso today called on General Montero Ritoro to form a new cabinet, but the general declined to undertake the task, because of the divergencies of opinion in the liberal party.

The Marquis de Aranjuez is making a final effort to form a liberal combination, but there is little hope of his succeeding. The only solution of the crisis seems to be the advent of the Conservatives to power or an appeal to the country.

BERLIN, Dec. 3.—In the reichstag today Herr Roemer, the Centrist leader, continued his recitations of colonial scandals. Amid general laughter, he produced a large stick, about the thickness of a finger, and laying it upon the table of the house, he explained that it was the stick with which floggings were administered in the colonies.

"This punishment," he said, was inflicted upon the natives by the strongest of the blacks. The unfortunate victim was stripped naked and strapped to a black or oak by the hands and feet, and then flogged. The result often was the punished man was sick and weak for a long time. The speaker said these floggings were sometimes inflicted upon natives at the orders of white officers for the most trivial of offenses.

Herr Dornburg, director of the colonial office, spoke in defense of the colonial officials. He refuted various charges cited, and used Roemer of representing the facts. He said that the German people at a having read the speech of the Centrist leader, would believe that the colonies were governed by wild animals and not human beings.

Dornburg's speech was greeted with much applause on the right, which, with the clapping of hands in the galleries, drowned the speaker on the left.

LONDON, Dec. 4.—When the house of lords rose last night, having concluded its debate on the report stage of the education bill, all hopes of a compromise appeared to be lost, and the opinion prevailed, at least among the members of the opposition, that the government would drop the bill and introduce another at the next session of parliament.

PASADENA, Cal., Dec. 3.—Henry Bordwell, a young Los Angeles man who accidentally shot himself a few days ago at Hollywood, died today at the Pasadena hospital.

U. S. S. OHIO AT NEW YORK

Steamed Fifty Thousand Miles in Two Years.

Not a Bolt or Rivet Started and Machinery Needs No Repairs.

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This later output of the firm that

WANTED; AN AMBASSADOR

Great Britain's Choice Is Slow in the Making.

Sir Morris Debusen, Lord Sanderson and Sir John Gorst Spoken of.

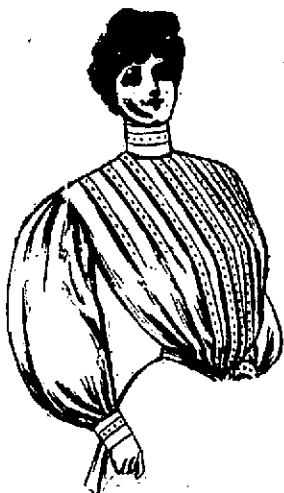
LONDON, Dec. 3.—The government authorities continue actively to canvass the field of available candidates for the post of ambassador at Washington, in succession to Sir Mortimer Durand, with the evident desire to make the appointment by March 4th, in order to permit the new ambassador to meet American public men before the adjournment of the present congress.

Among those being considered are Sir Morris Debusen, now minister at Madrid, and formerly minister at Lisbon; Lord Sanderson, for many years permanent under secretary of state for foreign affairs, who succeeded the late Lord Salisbury at the foreign office; and Sir John Gorst, ex-ambassador, under secretary for India, and financial secretary of the treasury. Lord Sanderson's age the year born in 1841 and his falling eye-sight, however, render him unavailable.

turned out the Oregon, came in with news a bolt nor a rivet started. She came in, moreover, with no part of her machinery calling for repairs, although it seems that 50,000 miles of steaming would have given fair wear. That 50,000 miles of sea, her officers say, is a steaming record for battleships at least for any that have been only a short two years in commission.

GOTTSCHALK'S SENSATIONAL

Price Cutting the Talk of the Town



With the possible exception of one of our January sales no bargain event has ever drawn such crowds or caused so much comment as the remarkable price cutting we have been making during the last week. Yesterday on every side you could hear, "How can they do it?" Do you think they are really \$20 and \$25 suits for \$5.00. And other such remarks. It does seem as if some explanation were necessary, though surely the values speak for themselves. At any rate we will tell you that the sales this season have been phenomenal. We must make room at any cost for our early spring arrivals. We must have the space, hence the cuts that at any other time would be out of all reason. For today we are giving two unusual specials. Keep in touch with us daily. We have many more surprises to offer.

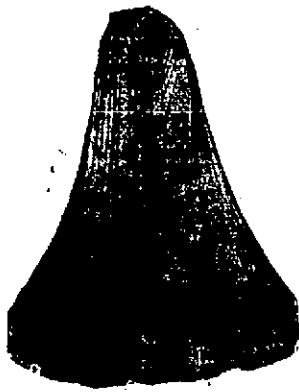
Splendid Line Wool Waists
Values From \$2.50 to \$3 Today **95c**

A most reasonable offering are these Henrietta waists; and at a price that will surely make them move at quick-step prices. So come early so as to make your choice from the entire lot. They are in all sizes from 32 to 40. Many trimmed with fancy silk braid and strapping. For today, only **95c**.

Two Hundred Skirt Values
To \$3--Must All Go Today at **98c**

Just think, a handsome skirt for 98c, such as you were never able to purchase before for less than \$3.00. In dark meltons; new 7 gore effect; tailored strappings; all well stitched and tailored. Today at **98c**.

Don't Forget That Our Suits Sale
IS STILL GOING ON
SEE WINDOW DISPLAY



Bath Mats

Turkey bath mats; size 27 x 50 inches; in white, pink, red and blue. Each **75c**

Linon Towels

All linen huck towel; bleached; 20x40; nicely hemstitched; with pattern border, 50c value. **40c**

White Wool Blankets

Full 10-4 size; silk bound edges; pink or blue border. \$5 value. Each **\$4.25**

E. Gottschalk & Co.
COR. TULARE AND J. STS.

The Latest Dress Goods

Priced For Today's Selling

At **\$1.25**—Panama suiting; 42 inch; fine quality French Panama; very even quality. Comes in three shades of plain grey. Very stylish and dressy for suits and skirts. Other stores consider this fabric cheap at \$1.50. Our price, as long as it lasts, \$1.25 a yard.
At **48c**—Plain Voile suiting; 36 inches wide; a real French voile; firm, even thread. Swell for skirts and suits. A regular 75c value for 48c.
At **28c**—Grey check chevrons; 32 inches wide; American chevrot suiting, in neat grey and black hair line checks. A regular 35c quality. For 28c.
At **89c**—Black voile suit; 44 inches wide; genuine French voile; beautiful even quality and a swell black for a real nice dressy suit or skirt. A regular \$1.25 quality. Special 89c.
At **28c**—Cream cashmere; 36 inches wide; cotton warp; cashmere washes well. Fine for children's dresses and ladies' waists. A regular 35c value. For 28c.
At **89c**—Black broadcloth; 54 inches wide; all wool domestic broadcloth; nice smooth even quality and a good black. A regular \$1.25 quality. Special for 89c.

Unbleached

Damask

Heavy quality dice pattern; 60 inches wide. Very serviceable. A 60c value. Yard **50c**

Bleached

Damask

58 inches wide. Good for hotel and restaurant use. 50c quality. Yard **39c**

Tennis Blankets

Double bed size; very fleecy; in plain or twill weave; white grey or tan; all with fancy borders **98c**

E. Gottschalk & Co.
COR. TULARE AND J. STS.

KIDNAPPING IS JUSTIFIED

The Supreme Court Decides Against Moyer, et al.

Idaho State Courts Can Hold Them for Trial-- McKenna Dissents.

WASHINGTON, Dec. 3.—The Supreme court of the United States today decided the habeas corpus case of Moyer, Haywood and Pettibone, the representatives of the Western Federation of Miners, held in prison in Idaho on the charge of complicity in the murder of Governor Steunenberg, adversely to the men. The effect of the decision will be to continue to hold the men for trial in Idaho.

Of the men involved, Charles H. Moyer is president, W. D. Haywood, secretary-treasurer and George A. Pettibone a member of the Western Federation of Miners. They are in prison at Boise, Idaho, under a charge of murdering Governor Frank Steunenberg of that state, although it was not charged that they were present when the crime was committed. The cases came to this court on an appeal from a decision of the Idaho federal court, refusing to grant writs of habeas corpus.

The principal point at issue is the method by which the Idaho authorities secured jurisdiction over the men. All of them are residents of Colorado and it was alleged in behalf of Moyer and his associates that they were kidnapped in pursuance of a conspiracy to overthrow the government of Colorado and the authorities were acquired by fraud.

Justice Harlan said that in habeas corpus proceedings in the United States courts the method of extradition of the defendants is not material. The merits of the cases are not involved, as that phase was not presented. The only question involved is the right of the state courts to proceed with the cases, of which there could be no doubt.

Justice McKenna declared a dissenting opinion, holding that Moyer, Haywood and Pettibone had a right to invoke the aid of the federal courts to investigate the methods used in securing their jurisdiction. He said that kidnapping under the law is no more to be justified than when preferred outside the law, where every effort of authority is used to prevent and punish it.

Announcing his conclusion that the United States circuit court had jurisdiction in the habeas corpus proceeding, Justice Harlan said:

"Looking first at what was alleged to have occurred in Colorado, touching the arrest of the petitioner and his deportation from that state, we do not perceive that anything done there, however hastily or inconsiderately done, can be adjudged to be in violation of the constitution or laws of the United States."

He added that the governor of that state had not been under compulsion to demand proof beyond that contained in the extradition papers. His failure to require independent proof of the fact that the petitioner was, as alleged, a fugitive from justice, cannot be regarded as an infringement of any right of the petitioner under the constitution or laws of the United States.

He also said that even if there was fraud in the method of removal there had been no violation of rights under the constitution.

"It is true," he added, "as contended by the petitioner, that if he was not a fugitive from justice within the meaning of the constitution, no warrant for his arrest could have been legally issued by the governor of Colorado. It is equally true that even after the issuing of such warrant before his deportation from Colorado, it was compulsion of the court, federal or state, sitting in that state, to inquire whether in fact he was a fugitive from justice, and if found not to be, to discharge him from the custody of the Idaho agent and prevent his deportation from Colorado."

"No obligation was imposed by the constitution or laws of the United States upon the agent of Idaho subsequent to the time of the arrest of the petitioner, to so conduct his deportation from Colorado as to afford him a convenient opportunity in Colorado, to trial before some judicial tribunal sitting in Colorado, to test the question whether he was a fugitive from justice, and as such, liable under the act of congress to be conveyed to Idaho for trial there."

"It cannot be contended that the circuit court, sitting in Idaho, could rightfully discharge the petitioner upon a legal and proof simply that he did not commit the crime of murder charged against him. His guilt or innocence of that charge is within the exclusive jurisdiction of the Idaho state court."

RESIGNED RECTORATE FOR PHILANTHROPY
Dr. Porter Bliss Will Be Secretary of Association to Build "Garden" Cities.

NEW YORK, Dec. 3.—The Rev. Dr. William Dwight Porter Bliss, for four years rector of St. Mary's Protestant Episcopal church of Amityville, L. I., has tendered his resignation, to take effect on January 1st. He will become secretary of the Garden Cities of America, an association formed recently to found cities for laboring men.

The movement is patterned after the Garden City Association of Great Britain, which is now building its first city at Letchworth. The Rev. Dr. Bliss is an Amherst graduate. The object of the association is the founding of cities where men of small means may have attractive homes with their own gardens.

KILLED THE BARBER WHO PAID ATTENTION TO SLAYER'S MOTHER
RHYOLITE, Nev., Dec. 3.—Sam Spears, a young man, formerly of Grass Valley, Cal., shot and killed Fred A. Purdy, a barber here. The men met on Main street and started firing. Spears was armed with an automatic Colt revolver which he emptied. Five bullets entered Purdy's body, one piercing the heart. Spears received one bullet in the wrist. Had blood had existed for several months between the men, Spears objecting to Purdy's attentions to the former's mother. Spears was at liberty this morning and open to his news stand as usual.

ATTENTION, G. A. R.
Members of Atlanta Post, No. 92, G. A. R., will meet at their hall at 9 o'clock sharp Tuesday, December 4th, to attend the funeral of D. B. Sadler, at the residence at Malaga. A conveyance will be provided.
H. D. GROSS, Commander.
H. V. PARKER, Adjutant.

J. H. Kelley assumes charge of the Crescent Livery stable situated on the corner of 1st and Lugo, where he will be pleased to see all his old friends and many new ones, good livery service including ladies' driving and riding horses. Phone Main 492.

Prescriptions
Accurate work, correct prices, at Baker & Colson's.
Freeman's special tannins and enochin. 043 J.

MORE COAL LAND GRABS

Commissioner Clarke Begins Hearing at Pueblo.

Land Holdings of Coal Companies May Go to the Grand Jury.

PUEBLO, Colo., Dec. 3.—Interstate Commerce Commissioner Clarke, assisted by Attorney Thomas and March, this morning began an investigation of "land grabs" and the relations between common carriers to the production of coal and oil and the transportation of the same.

This was how the commissioner explained his visit to Pueblo. It is understood that a large number of witnesses will be examined in connection with the coal land holdings of the Colorado Fuel and Iron company, The Denver & Rio Grande, the Colorado & Southern and Santa Fe railroads, for the purpose of securing data which will be submitted to congress for definite action. Should the investigation bring out facts to warrant it, however, the matter will be brought to the attention of the special United States grand jury for the purpose of indicting those against whom charges may be preferred.

Within the past few weeks the general land office at Washington has caused to be withdrawn from entry more than 1,000,000 acres of land still to contain coal in the Pueblo district "to prevent monopolization of the coal industries of the country by railroads and other corporations."

Rate discrimination in other lines of business may also be looked into. At the conclusion of the hearing here the commissioner will go to Denver to continue his investigations along similar lines.

The morning session was devoted to the examination of Denver & Rio Grande officials.

The principal evidence developed was the fact that the Colorado Fuel and Iron company pays a rate of \$2 a ton for coal from Crested Butte to Pueblo, while the small local dealers pay \$4 per ton.

Another piece of discrimination in favor of the Colorado Fuel and Iron company was shown in the matter of the rate on coke from Walsenburg, being 75 cents a ton for the Colorado Fuel and Iron company, or about half the amount charged the general public.

WILL FOUND A NEW ZION

Dowie's Successor Announced His Great Plan.

Primitive Christianity With Voliva in Supreme Command Will Be Tried.

CHICAGO, Dec. 3.—The Chronicle today says:

Zion City is to be abandoned. The "restoration host" which was built up by John Alexander Dowie, after years of strenuous effort, will shortly be left to its creditors by Overseer Willmar (Glen) Voliva, who, like a new Moses, will lead his people forth from the discredited gates to found another Zion.

Announcement of the approaching beginning was made yesterday by Overseer Voliva before an audience of more than 10,000 persons in the Zion church at Sixteenth street and Michigan avenue. It was marked by his assumption of "divine authority." At the same time he outlined his plans for a new city, to be conducted along socialistic lines with himself as supreme spiritual and temporal head. Coupled with the announcement of his plans were vehement denunciations of unworthy members of the church who he declared, were responsible for its fall.

The new Zion, into which all unworthy members shall be allowed to enter, will form the nucleus of a most energetic crusade against the wickedness of the world, and of Chicago in particular.

Autocratic socialism is to be the government of the new community. No more debts, no more holding of land or property by individuals, but a sublime condition of brotherly love and primitive Christianity is to prevail. At the same time, Voliva is to be supreme.

The nucleus of the new Zion is to consist of ten chosen families, to be selected by Voliva. These families will be chosen for their implicit faith in the guidance of the new prophet and their preparedness to sacrifice all at his bidding.

As to the location of the new Zion Voliva was silent, contenting himself with the declaration that he would have several announcements to make within two weeks. In preparation, however, he stated that to a certain extent headquarters would be located in the "great city's kingdom," as he termed this city.

GEORGE W. CALLUP, WELL KNOWN ODD FELLOW, DIED IN STOCKTON
STOCKTON, Dec. 3.—George W. Callup, an Odd Fellow, well known in the order throughout California, died at his home in this city of pneumonia. He had resided in Stockton for more than a quarter of a century and was one of the most active members among the local Odd Fellows. He served in the grand lodge for fifteen years. A widow and daughter, Mrs. Claude Stewart, survive the deceased.

NEW MEXICO OFFICIALS INDICTED FOR BRIBERY IN LAND FRAUD CASE
SANTA FE, N. M., Dec. 3.—Before adjourning tonight, the federal grand jury, probing coal land entries in Northern New Mexico, returned two indictments for perjury and subornation of perjury against Dr. J. H. Sloan, territorial superintendent of insurance, in connection with coal land entries in Santa Fe and San Joaquin counties. The investigation will be continued at the March term.

QUARREL ENDS THREE LIVES

Desperate Shooting Near San Diego Over Land.

Woman's Good Work With Rifle and Her Killing Were the Features.

SAN DIEGO, Cal., Dec. 3.—Three corpses by the side of the road between Escudido and San Luis Rey dam resulted from a casual meeting of two ranchers named Howard Gore and Edward Brady this morning.

The two have been at enmity for some time over a lawsuit about a claim to a large tract of land. It is said, many threats have been made. This morning the two met on the highway fifteen miles from Escudido in what is known as Holt's Hole canyon, along the line of the Escudido irrigation ditch. The dispute was renewed and Gore shot Brady, killing him. Mrs. Brady, who was present, got hold of a gun and shot Gore, who then succeeded in killing Mrs. Brady before he died.

Gore is understood to be unmarried, but Brady has been married twice, his divorced wife being now Mrs. E. M. Abel of Escudido.

It is said that when the three met this morning the Bradys were unarmed, while Gore carried his rifle and immediately began firing at Brady. Two shots took effect, but, though seriously wounded, Brady was able to get into an open ditch, where he sought to protect himself from Gore's rifle. Gore ran up to the ditch and deliberately fired on Brady, killing him.

He then turned his attention to Mrs. Brady, who had started for her house. He fired twice at the woman, wounding her, and continued to advance. She succeeded in getting into the house, where there was a rifle, which she loaded and knew how to use. As Gore continued to come toward the house, Mrs. Brady broke out a pane of glass in the window and fired. The shot took fatal effect, but before Gore dropped he managed to fire another shot which killed Mrs. Brady.

Brady was 31 years of age and Gore was 48. Virgil Woods, who was at the Brady house, is the only witness to the triple tragedy.

Mrs. Brady was 45 years old. She was formerly Mrs. Ann Adams of Oakland. Gore is said to have had a bad reputation, while Brady and his wife were much esteemed.

Some years ago Brady filed on a piece of government land in Holt's Hole canyon and was residing there, but engaged with another estate to take care of it and secured permission from the government to reside there. It was while the Bradys were at the latter place that Gore moved on their government claim and had to be forced off by an ejectment suit. Brady and his wife moved back to the claim and it was there that the shooting of this morning took place.

BOY TOOK CHANCES AND KEPT BOTH LEGS
Seriously Injured at Vanderbilt Cup Races, He Refused to Suffer Amputation.

NEW YORK, Dec. 3.—Ralph Baldwin, the 13-year old son of Sylvester Baldwin of Norwalk, Conn., who was struck by "352" Tracy's racing automobile in the Vanderbilt cup race, has recovered, contrary to the expectations of the surgeons.

While in the race Tracy's car ran into the crowd at the turn in East Norwalk and Baldwin was knocked down. Both of his ankles were broken. The surgeons advised that one of his legs be amputated.

"I'd rather die than be a cripple all my life," the boy replied.

His father would not insist on the operation without the boy's consent and Ralph's wishes prevailed. As a result, however, tetanus developed and for weeks his life was despaired of.

FRANCE IS AFRAID THAT MIQUELON ISLAND WILL BE ABANDONED.
SYDNEY, N. S. W., Dec. 3.—Alarmed by the rapid decrease in the population of St. Pierre and Miquelon, the French government has reduced the customs tariff on the island in order to stimulate business. For the past two months the population of Miquelon, the last remaining possession of France in America, has been steadily decreasing by emigration to the Canadian west and northwest. The reason for the abandonment of the island is the poor condition of the fisheries for the past few years.

GRIFFITH J. GRIFFITH RELEASED FROM JAIL AFTER SHORT TERM.
SAN QUENTIN, Dec. 3.—Colonel Griffith J. Griffith, the Los Angeles millionaire, was released from the state prison here at 1 o'clock this morning, having completed a two years' sentence for shooting and wounding his wife at Santa Monica on September 3, 1905. His term of imprisonment was considerably reduced by credits. On leaving the prison, Griffith refused to discuss his case or plans. It is understood that he proceeded direct to Los Angeles.

MILLER DENIES THAT HE PREDICTED WAR WITH THE JAPANESE.
WASHINGTON, Dec. 3.—Emphatic denial has been made by H. D. Miller, American consul general at Yokohama, of the reports emanating from San Francisco, that he had predicted a war between the United States and Japan. In a voluntary address to the secretary of state, which crossed the department's telegram of inquiry, Miller denounced as absolutely false the statement attributed to him. He says he gave no such interview. So far as the state department is concerned, Miller's explanation is deemed satisfactory.

Bakersfield Has Rain Too.
BAKERSFIELD, Dec. 3.—Rain began falling shortly before 8 o'clock tonight and the indications point to a heavy downpour before morning. During the past three days one-half inch of rain has fallen. Throughout the mountain region the snow fall has been heavy.

DECEMBER 5TH., '06

On December 5, 1906, W. A. Irwin will

start the building of his

ELECTRIC RAILROAD

FROM

TURLOCK

TO

IRWIN CITY

And will push the road to completion without cessation.

A general good time will be given to the public.

The S. P. R. R. will give excursion rates of one and one-third fare for the round trip from all points in the San Joaquin valley. Tickets good for the 4th, 5th and 6th.

No such opportunity has ever been offered the poor man to obtain a home for himself as is now offered in the Turlock Irrigation District. Don't fail to embrace this opportunity to see the most prosperous county in California.

All comers will be well provided for by Turlock's hospitable people. This will be purely a

Turlock Day

Music by the Band

Second Day of Our Semi-Annual PRE-INVENTORY SALE



Hundreds of This Season's Newest Garments, Comprising Suits, Skirts, Waists and Coats are on Sale at Starting Price Reductions in Some Instances at Less Than Half Their Actual Worth We Urge Morning Attendance If Possible, We are Not Quite so Crowded Then as in The Afternoon And Can Wait On You More Promptly, We Charge Extra For Alterations During This Sale.

THE WONDER

Cloak and Suit House

ENTRIES FOR POULTRY SHOW

Close Tonight at Office of the Secretary.

Indications Are for Bigger and Better Show This Year Than Ever Before.

Tonight at 7 o'clock the entries for the ninth annual show of the Fresno Poultry association will close at the office of the secretary, George H. Andrews, and all who desire to exhibit their chickens for prizes will have to make entry in the regular way before that time, unless they want to show badly enough to pay a double entry fee, which can be done up to the 8th inst.

Indications are of a bigger and better show this year than ever before. Secretary Andrews reports that there are many more entries in than usual before the closing day, many of them from outside points. Several entries were made by telephone yesterday and numerous inquiries for entry blanks were answered.

The premium lists were mailed throughout the State several days ago. There will be 203 cash and special prizes awarded to the best specimens, pens and displays, besides the first, second, third, fourth and fifth ribbons, which are much more valuable in the eye of the fancier than the cash or merchandise specials. Handmade silk ribbons will be awarded to first, second and third in each class and cards for fourth and fifth. The show bids fair to be of such size and importance that a prize won here will be an honor to the owner of the specimen and one of which he can well be proud.

The exact location of the showroom has not yet been decided upon, as some difficulty in securing the showroom of last year has been encountered, and as a consequence the show will probably be held much nearer the center of town. Several places are in view, but none has been decided upon as yet.

Every year many exhibitors have failed to make entry in time, believing that they could bring in their fowls at the last moment and enter them as in years past, and have been much disappointed in consequence. It is necessary for the proprietors of the exhibition to know several days before the show just what specimens will be in the show in order to make assignments to the different coops and complete each class before the coops are put up, so that when the birds come in the superintendent can place every bird in its proper place, according to the legband number.

Several new members have joined the association in the past few months and it is stronger now than for several years. Among recent additions to the membership roll are George W. Smith, E. V. Kelley, Smith & Darling, C. R. Norris, O. Williams and R. H. Parkhurst.

The entry fee for each specimen is 50 cents if entered for competition, or 25 cents if entered in the "sale" class; 25 cents each for capons and 25 cents per pair for pigeons. There will probably be a larger display of ducks, pigeons and turkeys this year than usual, as several entries are already in, and the prizes will be hotly contested for. Belgium hares are a dead letter, while cats are not very numerous in this section, and the probabilities are that very few will be shown. The strong classes this year will be Barred Rocks, Rhode Island Reds and White Leghorns, while the Minoras, White Rocks, Buff Rocks, Brown Leghorns, Buff Cochins, Blue Andalusians and White and Silver-Laced Wyandottes will be very much in evidence, and many of the other breeds will be well represented.

The judging this year will be by comparison, and it is thought that all ribbons will be in place on the opening day, Wednesday, Dec. 12. The birds must all be in their coops by noon the day previous, so that the judging can be done before the doors open to the public and the ribbons put up.

NEWS OF VISALIA

Death of Well-Known Cattleman Whose Hobby Was Making Violins.

Ozra Mitchell, a well-known pioneer, died in this city last night at the advanced age of 73 years. Mr. Mitchell, who was a native of Tennessee, came to California in 1850 and had been a resident ever since. For some time past he had been engaged in cattle raising and farming with his brother, Adolphus Mitchell, owning 500 acres of land southwest of this city. He never married and the sole surviving relative is his brother. A hobby of the deceased was the making of violins, and several instruments of his manufacture were displayed by experts to be very fine. The funeral will be held tomorrow morning at 10 o'clock, the interment being in the Tulare cemetery.

The Board of Supervisors met today in regular monthly session. A new judicial township was formed, composed of Antelope, Lemon Cove and Kaweah precincts. R. B. Montgomery was appointed justice of the peace and W. R. Clarkson constable. The action was taken as the result of a petition submitted to the board asking that the new district be organized.

D. M. Connor was named as justice of the peace at Lindsay to fill the unexpired term—until Jan. 1st—caused by the resignation of R. M. Graham. About seven miles of cement sidewalk have been laid in Visalia within the past few months and about a mile and a half additional remains to be put down under the Vrooman act.

Miss Jessie B. Anderson has returned from a visit with friends at Bakersfield. Mrs. Allen of Washington, who has been visiting with her brother, Leslie Cook, left this morning en route to her home.

CITIZENS' ALLIANCE

CHICAGO, Dec. 3.—The convention of the Citizens' Industrial association of America opened here today. The greater part of the day was consumed in listening to the reports of officers. President Post, in his report, commended the American Federation of Labor as "the greatest trust in the world." He declared the industrial association was formed to defend communities and citizens from "the destructive acts of both capital and labor."

COPS MUST STAND TEST

Commission to Examine Before Confirming.

Force Reduced By Two Men. Engineer Let Out for Carelessness.

The Board of Police and Fire Commissioners, in pursuance of a purpose announced some time ago, but only intermittently put into effect, will now begin a more strict supervision of the police department by requiring all candidates for confirmation as police officers to undergo a strict examination. This test will be as to their knowledge of the public manual of this city, under the terms of which they are employed, and also as to the general duties of a policeman in cases of emergency.

This matter was decided upon at the special meeting of the commission, called yesterday morning to take the place of the meeting that was to have occurred on Thanksgiving day, and to approve bills. All the members of the commission except A. J. Hill were present.

Chief Shaw reported that Officers George Maule, H. E. Fair, F. R. Minkler, W. J. McCall, H. S. VanMeter and H. V. McCall had been on duty for more than three months, the term of probation, and should be confirmed in their positions or discharged as inefficient.

On motion of Commissioner Riley, the order for the examination of the policemen as to their knowledge of the manual was then adopted. It was not decided who should be the inquisitor. The test will take place next Thursday evening. The commission had already given directions to have sets of questions secured from Los Angeles and other cities where special attention is given to the police service.

The commission has also determined upon a course of economy in the department by reducing the force by not filling the places left vacant by the resignations of Officers Aubrey and Stephens. The resignations of these men were accepted, but as the chief thought that he could get along with thirteen men, as at present, for some time, no new ones were elected. Changed conditions in the tenderloin and the passage of the packing season were as signed as reasons.

The principal item in the report of Chief Ward of the fire department was a charge against V. M. Cox, engineer at fire house No. 3, which resulted in a secret session of the commission and the discharge of Cox from the department.

The ground for this drastic measure is that at the fire that destroyed the Pioneer Fruit company's house recently, Cox allowed his engine to run out of water, and the fire in consequence burnt it very badly. This was considered inexcusable carelessness.

The resignation of O. J. Normant, known as "Nig" from fire house No. 1, was accepted, he having left to take a position in San Francisco.

Chief of Police Shaw reported that there are many nights when lights go out and asked whether there was any remedy. It was pointed out that the company is allowed a loss of 2 per cent a month.

REAL ESTATE TRANSFERS

The following real estate transfers have been recorded during the past twenty-four hours:

C. E. March to Morgens Nelson, 1/2 of nw 1/4 of nw 1/4 of nw 1/4 of section 26, township 14 s, range 22 e, \$10.
Grace T. Hawley to T. H. Elliot, lots 30, 31 and 32, block B, Whitson's addition, Selma, except that part 30x50 feet fronting on Second street; \$10.
A. V. Lisenby et ux to W. S. Scott, 1/2 of lots 10 and 11, Poppy Colony; \$10.

G. C. Wells to Flora L. Nash, 26.77 acres in nw 1/4 of nw 1/4 of section 6, township 15 s, range 22 e; \$10.

S. M. Wickliffe et ux to Lena H. Bailey, lots 17 and 18, block 18, Whitson's addition, Selma; \$10.

George P. Wells et ux to O. B. Chapin, lot 23 and part of lot 22, block 2, Arrant's addition, Selma; \$10.

W. J. Bennett to M. B. Garner, 1/2 of lot 4, block 2, Laurel Hill Cemetery; \$20.

California Fruit and Wine Land Co. to W. C. Gitchell, lot 79, Springfield Colony; \$10.

S. M. Wickliffe et ux to Lena H. Bailey, lots 17 and 18, block 18, Whitson's addition, Selma; \$10.

William F. Parker to Maud M. Laughlin, 1/2 of nw 1/4 of nw 1/4 of section 27, township 15 s, range 22 e; \$2500.

G. H. Moller to J. J. Bounger, 1/2 of section 10, township 14 s, range 22 e; \$10.

Earthquake in Sicily. ROME, Dec. 4.—An earthquake shock lasting two seconds was felt yesterday at Milazzo, on the north coast of the island of Sicily. No damage was done.

HYOMEI CURES CATARRH

Costs Nothing Unless it Gives Relief—Sold Under Guarantee.

No matter how severe or chronic a case of catarrh you may have, consult the San Joaquin Drug company about the use of Hyomei. They have so much faith in the efficacy of this treatment that they give their personal guarantee with every outfit they sell that it will effect a cure, or the money will be refunded.

In many instances Hyomei has cured catarrh when the patient has suffered from childhood. Quite a few people in Fresno who have been unable for years to get a good night's sleep on account of the disagreeable tickling and dropping at the back of the throat have obtained quick relief from a few treatments with Hyomei, and the continued use has made a complete and lasting cure.

There is no stomach distress when one uses Hyomei. Simply breathe the medicated steam through the pocket inhaler that comes with every outfit, and all catarrhal germs will be killed and the mucous membrane will be healed.

RHEUMATISM WORSE FROM YEAR TO YEAR

The cause of Rheumatism is an excess of uric acid in the blood, brought on by indigestion, chronic constipation, weak kidneys and a general sluggish condition of the entire system. The refuse and waste matter of the body is not carried out as nature intends, but is left to ferment and sour and generate uric acid, which is absorbed into the blood. The first evidence of Rheumatism is usually little wandering pains in the muscles and joints, or a tender, sensitive place on the flesh. These are often so slight that nothing is thought of them and they pass away; but with each recurrence the trouble becomes more severe, and from slight wandering pains and excited nerves, Rheumatism grows to be a painful and almost constant trouble. The longer the poison remains in the blood the firmer hold the trouble gets on the system. Each day the acid deposit is increasing and the disease grows worse from year to year. After awhile the joints become coated with a corrosive substance which seriously interferes with their working and movements and sometimes they become permanently stiff and useless. S. S. S.

S.S.S.
PURELY VEGETABLE
cures Rheumatism by going down into the blood and attacking the disease at its head. It neutralizes the poisons and acids and dissolves the salts and irritating deposits, making the blood stream pure, fresh and healthy. S. S. S. is made entirely of roots, herbs and barks, and is therefore a safe remedy. When the blood has been purified by S. S. S., the pains and aches pass away, and the cure is permanent. Book on Rheumatism, and medical advice free. THE SWIFT SPECIFIC CO., ATLANTA, GA.

Grocery Specials For Tuesday and Wednesday

Take advantage of these special prices on staple groceries, and save money.

Condensed mince meat, Asmore's, regular 10c pkg., 3 for 25c
Bishop's Catsup, regular 25c pt. bottle 20c
Royal's Sardines with Truffles, 20c can 15c
Van Camp's Hominy, 15c 3 lb. can 10c
Charlotte Soap, regular 6 bars for 25c, 8 bars 25c
Dr. Price's Breakfast Food, 10c pkgs., 3 for 25c
Boiled Ham, regular 35c lb. 28c
Uneda Biscuit, pkg. 5c
Ris-Bis, pkg. 5c
Oysterettes, pkg. 5c
Mrs. Potts' Sad Irons, set \$1.00

100 sets to sell.

Crosse & Blackwell's Curry Powder, 2 oz. bottle, 2 for 25c
Regular 2oz. bottle, 3 for 50c

Twenty per cent discount on parlor and library lamps. Lamps make fine Xmas gifts, so here's your opportunity to buy them at money saving prices.

Corner J and Tulare Streets.
H. Staff & Co.
PRIVATE EXCHANGE 1

BULLOCK & JONES

SAN FRANCISCO
Offer the very best obtainable in Men's Tailoring and Furnishings.

No Branch Stores

Bullock & Jones Company

Cor. Van Ness and Eddy, San Francisco.

Japanese Store

CLOSING OUT SALE

Entire stock of Japanese goods sold at great sacrifice. Fixtures for sale. Proprietor going back to Japan.

THE OSAKA BAZAAR

2019 MARIPOSA STREET

ONLY JAPANESE STORE IN FRESNO

Do You Want To Make Money?

KEEP YOUR EYE ON NEW ELECTRIC LINE. THE SUBWAY UNDER THE S. P. R. R. RESERVATION ON FRESNO STREET IS NOW BEING BUILT.

Do you want to make money and at the same time improve and make you a suburban home near the city. Now is your opportunity to purchase 5 or 10 acres in the Waihe Home tract. No better land in county. This land is bound to double in value soon. Fresno is bound to be a big city. The Subway, when completed, means money for everybody. So KEEP YOUR EYE ON THE NEW EXTENSION. WOY & MADSEN NEW ACRE TRACT is now surveyed and platted, streets and alleys will be graded soon. Remember this tract contains 20 1-acre lots and adjoins the city limits, and facing on Telamona, El Dorado, Shasta and White Bridge avenues. Don't miss this opportunity: a chance to make money and own your own home. Don't delay a day, but let us show you this property. Lands right location, right terms, right price, right, 1-4 cash, balance in 1, 2, 3 and 4 years.

Woy & Madsen 1138 J Street. WE SELL THE EARTH.

SPRAYING

Call in and see the Niagara Gas Spraying Machine.

No pumps to wear out, therefore no hard work. Saves one man, gives a steady pressure and costs less than any other power sprayer.

Fresno Agricultural Works
FRESNO CAL.

GRAPE STAKES

Buy them of the

C. S. Pierce Lumber Co.

Mariposa and H Streets.

They handle the best coast redwood stakes and quote the lowest possible prices.

HAY, DAIRY FARMS, ALFALFA FOR RENT—Pasturage for Cattle

We Have 4,000 Acres in Alfalfa

Kearney Vineyard Co. Phone Main 1351
Fresno, Cal.

BICYCLES

Bought From

SEEBERG-DONAHOO

Give Satisfaction
Successors to Ehman & Hobson.
2026 MARIPOSA STREET.

JIM MORLEY SUE BY CLUB MEMBERS

Former Baseball Magnate Defending Claims for Damages Caused By His Unauthorized Acts.

LOS ANGELES, Dec. 3.—An echo of the troubles of the Pacific Coast Baseball league of the past season was heard today in the Superior court when two stockholders of the former Los Angeles club brought suit on behalf of the club against the former manager, James J. Morley, for \$35,000, the amount of loss which, it is claimed, the club sustained at his hands last season. Directors John J. Brink and Al Levy are also made defendants in the action.

It is charged that Morley caused this loss by forfeiting the franchises of the local club and also by rescinding the contracts with sixteen players, all of which, it is averred, was done without the consent of the board of directors. The Los Angeles baseball club was incorporated for \$10,000, divided into 1000 shares. Stephens held twenty shares and Edwards ninety-five.

Notice. Sealed bids will be received by the Elmdale school trustees for putting a hot air furnace in 4-room school building. Bids will be opened at 6 o'clock p. m., Saturday, December 15, 1906. Right to reject any or all bids reserved. For special information address F. E. Mobley, Elmdale, Cal. By order of trustees.

Modern Woodmen of America. Election of officers Wednesday evening, Dec. 5th. It is important that all members be present at this meeting. By order of the council, J. E. MOORE.

Only \$5.00. 14c fountain pen, regular \$5.00 size, at Baker & Colson's.

Kodaks and Photo Supplies. Full line at Baker & Colson's.

THE TAX REFORM.

It is announced that the subject of Governor Paidee's speech at Manter today will be the proposed tax reform as outlined by the tax commission appointed by the last legislature. It is pointed out that this speech will be the beginning of an agitation which will arouse public sentiment throughout the State to demand action of the next legislature along the lines suggested by the commission. Large constructive legislation of this sort requires far more investigation than any legislative committee can give it in sixty days. The commission system is the only way to get such legislation properly formulated. Then the legislature, with all the information gathered and all the details worked out for it, can confine itself to its proper function of passing on the general policy. This particular commission has been exceptionally intelligent and diligent, and has prepared one of the most important reforms proposed in California for many years.

The present tax system of California is grossly unequal. Professing on its face to tax all property equally, at the same percentage of its cash value, it actually puts almost the whole burden of taxation on the owners of real estate. The farmers of California pay a tax equal to a 10 per cent net income tax; the manufacturers equal to a 2 per cent net income tax. Taking 1 per cent of the capital as a fair tax, the State banks pay 45 per cent of their share; the savings banks 102 per cent; the national banks only 20 per cent; railroads, 65; street railroads, 60%; express companies, 14; telephone companies, 52; telegraph companies, 33; light, heat and power companies, 58; and farmers 114. In other words, the only taxpayers in this State which pay their share are the farmers and the savings banks, both of which ought, if anybody, to be favored. Both of these pay considerably above the 1 per cent normal, while the public-service corporations of the State pay from 14 to 65 per cent of their share. Or, on a gross income basis, the tax runs from 5.14 per cent, from the express companies, to 6.14 per cent from the farmers. The farmer is taxed twice as heavily, in proportion, as any corporation, and over thirteen times as heavily as some corporations. And this inequality, in the case of the railroads, is made still greater by the fact that land is valued on the basis of its actual value, and railroad property on the basis of its cost. Personal property pays almost nothing, and "business" in the sense of merchandising, only a small part of its share of the expenses of the state.

All these inequalities except one, the proposed law very effectively meets. The merchants will still pay very much less than their share, unless the localities find some means of reaching them. And since local legislation is rarely scientific or statesmanlike, and local Solons are nearly always under the hallucination that a government by the people means a government by the business men, in their class interest, we shall probably have this one inequality permanently, except to the extent that mercantile corporations are made to pay a state corporation tax proportionate to their capital. But in all other respects, the new system equalizes taxation in the only possible way. Local property, principally real estate, is left to the localities, to assess and tax as they please. General property—railroads, telephone, telegraph, light and power companies, and the like, are to be taxed exclusively by the state. These indirect taxes, and its present like sources of revenue, are to be the sole support of the state. The general basis of the taxation will be the equivalent of one per cent on the actual value of the property, but this is assessed in each case, by the method that will most simply produce this result, generally a fixed proportion of the gross revenue, about which there can be no concealment or dispute.

The tax and revenue measure should be the subject of frequent discussion, for the next month. And we are sure, if the people understand it, they will demand its adoption.

A MORAL TRIBUTE.

When before did the representatives of a conquered province tender such tributes to the general who conquered it as the Cuban testimonials to General Shafter made public this morning? It is a tribute directly to General Shafter, but essentially to the unique magnanimity displayed by the American government in this unique war. With a rich province at our doors, harassed by revolution, and ready to fall like a ripe fruit into our hands, we intervened solely in the name of humanity; fought a war for the liberation of the Cuban and our own expenses promised to set them free as soon as we had set them on their feet—and carried out that promise. Every year in the world, including the entire Democratic party in the United States, predicted that Cuba would be another Egypt, in which the execution of the promise of liberty would be indefinitely postponed. The idealists, the optimists, the dreamers, thought otherwise, and they were right. We made Cuba a free nation, started her on her course—and got out. And we stayed out, as long as Cuba would permit, only going back at Cuban request when the Cubans had abdicated their own government and refused to govern themselves. This time we go back again with the same promises, and this time there is no cynic in the world

to doubt our sincerity in carrying them out. The United States, in Cuba, has established a new record of international morality, and stands as the only power in the world whose points of disinterested philanthropy respecting another nation is taken seriously and literally.

Of course Cuba will be American, some day; the fate has decreed it, and the Cubans are coming to desire it. But it will not become American by any treachery, aggression or coercion on our part. And that is all the difference. There may be a marriage, but there will be no kidnapping.

WHERE DID HE GET IT?

If John Smith, private citizen, once poor, suddenly gets rich, it is nobody's business where he got it. He can choose for himself whether to tell his friends who rich uncle suddenly left him his heir, or to keep still about it. When Eugene E. Schmitz, once poor, suddenly blossoms out rich, the legal situation is exactly the same. He has the legal right to keep the source of his wealth secret, and no one can hale him into court to tell, except on specific charges that some item of it was illegally obtained, and then only as to that item. And even in a court, under charges, the mayor would have the right to refrain from testifying, or, on the stand, to refuse to answer questions on the ground that it would incriminate him. All these are legal rights, before the criminal courts. But not one of them is a right at the bar of public opinion, before which Mayor Schmitz is primarily arraigned. Before that bar, the question, "Where did he get it?" is precisely the most relevant point at issue. Unless Mayor Schmitz explains it, satisfactorily, he will remain under suspicion or worse, from which no possible technical victory in the courts could clear him.

SCHMITZ AND RUEF APPEARED IN COURT

Delay Was Asked By Both and Objected to By Henry in Case of Ruef.

SAN FRANCISCO, Dec. 3.—Mayor Schmitz and Abraham Ruef appeared before Judge Dunne in the Superior court today for arraignment on charges of extortion preferred by the grand jury. The court room was thronged with spectators. An ovation greeted the mayor when he approached the Temple Sheriff's Island, which contains the court where his trial will take place. He was accompanied by his attorneys and when he took his seat before the bar there was no greeting between himself and Ruef, who had arrived earlier with his counsel. Their actions seemed to indicate that the relations between the mayor and Ruef had become strained.

DISASTROUS FIRE IN SAN FRANCISCO

Buildings on Market Street Destroyed and Loss Estimated at Nearly \$100,000.

SAN FRANCISCO, Dec. 4.—A fire which broke out late tonight in the office of L. W. Griffin, coffee broker, at No. 3 Front street, spread rapidly and destroyed a number of buildings on the block facing on Market street. The principal losses by the blaze were the Bulfinch Oil works, American Insurance company of Newark, Northern Oil company, Lake Hale & Co., steel dealers; M. P. Detele, flour and hay; Preston Commercial company and Naber, Alf & Bruce, wholesale figures.

SNEAK THIEF ON TRAIN BROKE PASSENGER'S LEG

Stole Suit Case and Overcoat, Used Pistol, Escaped, Returned Stole Hat.

KANSAS CITY, Mo., Dec. 3.—While Santa Fe passenger train No. 17, which left Kansas City at 10:20 o'clock tonight, was standing on a siding at Holaday, Kansas, at 11 o'clock tonight, a sneak thief attempted to leave the train with an overcoat and suit case belonging to E. C. Ward of Purcell, I. T. Ward grappled with the thief, who drew a pistol and shot Ward in the leg, breaking it, but Ward recovered his property.

MONTEREY LOSES VALUABLE PROPERTY

WASHINGTON, Dec. 3.—In an opinion by Justice McKenna, the Supreme court of the United States today decided the case of the city of Monterey, California, versus David Jacks, adversely to the city.

The dispute was over land amounting to four square leagues in area, granted to Monterey when it was a Spanish pueblo. This property, which has since become valuable, was sold to Jacks and others in 1839 for \$1000 to pay an attorney's fee.

The transaction was attacked in this suit, on the ground that the state legislature, which authorized the sale, was incompetent to do so, and that the city council, by whom the transfer was made, was without legal authority in the premises.

LOS ANGELES, Dec. 3.—It is reported here that two bodies have been found partly buried in the sand in the beach near San Pedro and that it is believed they are the remains of Ben Cameron and Bartley Allen, young men who left Venice five weeks ago in a launch on a pleasure trip and have not been heard from since. Verification has been impossible so far.

BRYAN SPOKE TO LABORERS IN ARIZONA

Paupers Are Found Among the U. S. Supreme Court Sustains Rich Classes. Territorial Court.

Laborer Ranks Much Higher Than the Idle Rich, Says the Commoner. Unfit Families Are Removed.

LINCOLN, Neb., Dec. 3.—William J. Bryan made an address at the opening of the union labor fair tonight, in which he said in part:

"There is a great gulf existing between the ruling classes and those who live without ruling, but at the present time brain and muscle are working in close harmony than they have for many years. Today the world does not care for the non-producer and the laborer ranks much higher than the idle man who lives on the income left him."

"The dignity of labor has been so proclaimed over the land and impressed on the minds of the people, that it will not be long until the world will point the finger of disgrace at the man who lives in idleness. The moral question also is involved in this. A man who refuses to work cannot attain a high moral standard. The real pauper is not the man living in poverty, but the one that does not produce anything. The pauper may be found among the rich classes, where idleness takes the place of work."

HAMMERSTEIN GRAND OPERA

New Manhattan Opened in New York.

"Puritani" Produced With Great Cast—Hammerstein Is Alone.

NEW YORK, Dec. 3.—The Manhattan opera house, New York's newest theater, was dedicated to grand opera tonight. The opera was "Puritani" and the audience was one of the largest and most showy that ever gathered at a first night in this city.

AMERICAN CAPITALISTS ON VISIT TO MEXICO

They Will Examine the Kansas City, Mexico and Orient Railroad New Building.

MEXICO CITY, Dec. 3.—T. A. Stillwell and party, consisting of 100 English and American and American capitalists, are expected to arrive in this capital at a late hour tonight. The party is traveling on a special train due here early today, but was delayed.

RUSSIANS PEASANTS WANTED IN CANADA

Incidentally, Assurance Is Given That the Doukhobors Will Be Welcomed Back.

ST. PETERSBURG, Dec. 3.—Peter Vorzhen, head of the Doukhobor community in Canada, who is known as "John the Baptist," has arrived in St. Petersburg, ascertaining the attitude of the Russian government on the question of repatriation of the Doukhobors and recruiting a force of 10,000 Russian peasants, wanted on two contracts to work on the construction of new roads in the Canadian Northwest.

WOULD NOT ANSWER AWKWARD QUESTIONS

Pittsburg Railroad Man Charged With Fraud Is Held Under Bail for Contempt.

PITTSBURG, Dec. 3.—C. S. Cameron, president of the Tule City Railroad company, was held under \$2000 bail by Magistrate F. J. Brady today for refusing to answer questions in the hearing of Common Councilman William A. Martin, who with Cameron, is charged with conspiracy to defraud the city out of \$75,000 in connection with the passing of the special ordinance. Bail was furnished and the case continued until December 12th.

TO SUCCEED ROCKWOOD HOAR

Worcester, Mass., Dec. 3.—Charles G. Washburn was today nominated by the Republicans to succeed the late Representative Rockwood Hoar for the unexpired term.

EX-SENATOR CROCKELL'S ILLNESS

WASHINGTON, Dec. 3.—Interstate Commerce Commissioner Crockell, who has been confined to his home for six weeks, suffering from a slight attack of malaria, is gradually improving and will be able to resume work within a week.

T. W. LAWSON'S HORSES SOLD

NEW YORK, Dec. 3.—One hundred and twenty-one horses from Thomas W. Lawson's Dracowitch stud farm were sold at auction in Madison Square garden today. The total realized, \$41,000.

PITTSBURG, Dec. 3. L. Lee Dill, worth 52 years old, and a bachelor, a member of one of the most wealthy families of Pittsburgh, committed suicide today by shooting. No cause can be assigned for the deed.

Today's Grocery Savings
Bread, 12-oz. loaf 3c
Elli's Chili Sauce, bottle 25c
Silver Star Soap, 8 bars 25c
K. C. Baking Powder, can 10c
Cabbage, lb. 1c
Sweet Potatoes, lb. 1c

THE HOUSE THAT
GAVE YOU MERRY
Bazaar Bargains
30c Bruno Seltzer 40c
25c Tooth Paste 35c
25c Rubikam 35c
35c Paperettes 25c
25c Linen Tablets 15c
35c Perfumes 25c

Today a Surprise Sale of Ladies' Coats For \$22.50 to \$25 Long

\$15.00

Only 15 coats in the lot.
It's a clean-up from a noted Fifth Avenue maker of stylish coats—our New York office snapped them up at a quick-selling price.
We turn our bargains over to you today!
These coats are in the season's swellest styles—in beautiful novelty mixtures and plaids.
Regular values from \$22.50 to \$25.
Special today, \$15.00.

Umbrellas 50c
Storm proof.
Splendidly made—just the thing for the school children—to use or lose.
Special 50c.

Credit
Are you taking advantage of the privilege we have been extending to our credit customers for a great many years in having your purchases charged and payable monthly? It's a big convenience, besides the big saving in trading here.

Basement Specials
Christmas is only 21 days away, so these specials will prove of interest today:
\$2.50 Pyrography Outfits... \$2.48
\$3 Pyrography Outfits... \$2.48
35c Handkerchief and Glove Boxes 23c
75c Whisk Broom Holders 48c
25c Stamped Placques 15c
\$1 Cloth Bound Books 68c
75c Cloth Bound Books 25c

Kutner's \$15 Suits For Men

embody all the good points of tailoring perfection found in suits that sell for much higher prices elsewhere.

The styles are right.
The tailoring is right.
The materials are right.
In fact, they're ALL RIGHT, through and through—so much all right that we say "Buy one of these \$15 suits—will stand back of it with money refunded if it's not up to your expectations."

Come in today, and ask to see our "True Blue \$15 Specials."

Don't forget that we give you a free ticket on every 100 purchase.
Save these tickets until you have 200 of them—then exchange them for a Cash Certificate which is accepted the same as cash in the purchase of anything in the Basement.
Save your tickets!

Ladies' 75c Underwear
54c
Special.
Winter weight shirts and drawers of fine quality.

GILLETTE CASE IN THE FINAL STAGE
Argument of Counsel Will Be Concluded This morning and Case Sent to Jury.

HERKIMER, N. Y., Dec. 3.—Chester E. Gillette, the young factory townsmen of Herkimer, on trial here for the alleged murder of Grace Brown, his sweetheart, probably will know his fate within the next twenty-four hours.

MORAN SUEDED FOR SLANDER
Ex-Commissioner Fairbank Asks Big Damages.

Charges of Theft and Forgery Were Made During the Campaign.

WHY OF HIS LIFE, HE ENDS IT WITH DYNAMITE
PARIS.—A workman employed at the Gennellaineourt, near Remeremont, has taken his life in exceptionally tragic circumstances. He rose at his usual hour and entered an outhouse. Soon a loud report was heard. His wife ran into the outhouse and found her husband dying on a heap of coal. His head was completely blown from his body, and his arms were in pieces. Near by were the remnants of a dynamite cartridge. The man had exploded it.

Worcester, Mass., Dec. 3.—
Damages to the amount of \$50,000 are sought by Wilson E. Fairbank the state exposition commissioner, who filed papers today in the Superior court for civil action against District Attorney John B. Moran of Suffolk county, and James N. Perkins, who was the secretary to the Massachusetts commission to the Lewis and Clarke expedition. The plaintiff alleges slander.

RETAIL MARKETS
FRUITS AND VEGETABLES.
Lemons—20c per dozen.
Grape Fruit—40c dozen.
Apples—30c lb.
Navel Oranges—40c box.
Bananas—25c bunch.
Potatoes—20c 2 1/2 c.
Pineapples—40c/60c.
String Beans—15c lb.
Green Beans—10c lb.
Hubbard Squash—3c lb.
Green Peppers—10c lb.
Tomatoes—30c/35c per lb.
Radishes—2 bunches 5c.
Cabbage—2 1/2c per lb.
Horse radish—25c per lb.
Onions—2 1/2c per lb.
Turnips—2 1/2c per bunch.
Parsnips—2 1/2c per bunch.
Cauliflower—10c/15c head.
Lettuce—3 for 10c.
Carrots—2 1/2c per bunch.
Lima Beans—10c lb.
Cranberries—15c qt.
Sprouts—1b, 10c.

WARNER'S
1929-31 Mariposa St.

We have one of the strongest lines of gold bracelets—plain, engraved, etched, repousse and set with precious stones.
There is an individuality to each one.
Make your selection while the line is most complete.

WOULD NOT ANSWER AWKWARD QUESTIONS
Pittsburg Railroad Man Charged With Fraud Is Held Under Bail for Contempt.

RETAIL MARKETS
KILLSTUFFS.
Fresno Flour—\$1.30/\$1.35.
Kawana Flour—\$1.35.
A 1 Flour—\$1.45.
Crown Flour—\$1.40.
Middlings—\$1.45.
Bran—95c per sack; 825 per ton.
Wheat—22.5c per sack; 827 and 828 per ton.
Corn Meal—35c per 10-lb. sack.
Graham Meal—35c per 10-lb. sack.
Whole Wheat Flour—35c per 10-lb. sack.

WARNER'S
1929-31 Mariposa St.

BERKELEY CAPITALIT FOUND BY POLICE
He Had Wandered Away as Result of Nervous Strain Due to Wife's Illness.

OAKLAND, Dec. 3.—J. S. Averall, Berkeley capitalist, who has been missing from his residence at 2222 Bancroft Way, has been found.

RETAIL MARKETS
BUTTER AND EGGS.
Creamery—50c per roll.
Dairy—55c per roll.
Eggs—40c per dozen.
FRESH MEATS.
Beef Steak—10c/15c; roast 10c/15c.
Chicken—10c/15c per lb.
Lamb—12c/15c per pound.
Pork—12c/15c.
Veal—10c/15c.
Lard—15c per pound.
DRESSED STOCK.
Steer—55c.
Veal—7c/8c per pound.
Mutton—8c to 9c.

WARNER'S
1929-31 Mariposa St.

BAY CITY VISITORS SAW TONOPAH MINES IN DRIVING SNOWSTORM.
TONOPAH, Nev., Dec. 3.—The excursion of San Francisco business men, who are making a tour of the Southern Nevada mining camps, arrived here today by special train during a heavy snowstorm. The members of the party waded through heavy snow all afternoon, visiting the principal mines. The San Franciscans were tendered a reception at the Mighan club and tonight were banqueted by the Board of Trade.

Senator Smoot's Case.
WASHINGTON, Dec. 3.—Senator Burrows, chairman of the senate committee on privileges and election, has announced that he will, on Monday next, bring up the report against Senator Reed Smoot, of Utah, being permitted to retain his seat.

Philadelphia Shoe Store
Near Court House Park.

We have all kinds of nice warm fur trimmed slippers. In red, blue, green, grey, brown and black. Also black velvet, kid trimmed. Prices range from \$1.25 to \$2.00. These are genuine felt goods of superior quality.
We also have full lines of Men's Holiday Slippers in all leathers including genuine alligator in rich brown shades.
Be sure and see our stock before buying, as we can show you a very extensive assortment.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Beware the Signature of *Chas. H. Fletcher***Optical Service**

All our opticians have had great experience. This means much to you. It means they have the knowledge to prescribe the best glasses.

A well informed optician will understand how different kinds of glass can be combined to reinforce one another and give you better vision than a single lens. He will understand how the Kryptok lenses can thus give far and near vision in one pair no matter what the age may be.

If he does not understand these things he may try to pain a substitute.

Eyes Examined Free.

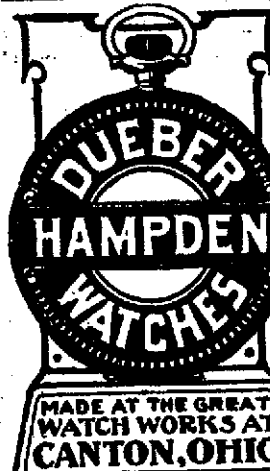


2015 Mariposa St., Fresno
San Francisco (2), Oakland,
Sacramento and Stockton.

SPECIAL Inducements To Early Buyers

Call and see our holiday goods and the prices.

Fresno Jewelry House
1158 I Street. Established 1889



MADE AT THE GREAT WATCH WORKS AT CANTON, OHIO

The dealer who doesn't have DUEBER-HAMPDEN WATCHES may tell you they are not the best. He wants to sell what he has. Before buying, ask the dealer who has them.

H. C. Warner,
H. B. Oberlin,
M. Sailer,
Mason & McCarthy.

Fiber Carpets 55c Cents

Per Yard at

EMPORIUM FURNITURE CO.
Sewed, Laid and Lined.

WANTED—To buy good bare land.

CENTRAL CALIFORNIA JAPANESE NO-GIO-SHA.
S. Miyano, Manager.
1543 Kern St. Tel. Main 2588.

SWITCHES.

Mrs. A. W. McKittick, manufacturer of human hair goods, switches, pompadour, curls, puffs, etc. Have your combings made up. Dyeing, bleaching, wigs for rent. Prompt attention to mail orders.

1454 I ST.

PRINTERS' INK PAYS

SOCIAL AND CLUB NEWS

Private theatricals hold a magic charm for most people who have natural enthusiasm and buoyancy of spirit, and are looking for a really delightful way to entertain friends. In the past there have been some merry times enjoyed in this pleasant way, but lately society has either grown too conventional or has been engrossed with other matters and the task of reviving this happy mode of entertaining has been given to Mrs. William Forsyth, who has formed a company of young society people who will give a performance during holiday week at her beautiful vineyard home. The exact date has not been settled upon, but it will be one of the events of Christmas week. The rehearsals, which have already begun, promise great fun for the members of the company and the rehearsals are being conducted by Mrs. Forsyth, who is a genius for this sort of thing and is exceedingly clever in dramatic work. Besides Mr. Gray, the cast includes Mrs. Lee Gray, Miss Anita Hodgkin, Miss Blaise Smith, Miss Violet Hodgkin, Mrs. DeWitt Gray, Jack Sprague, Russell Ritchie and Lionel Dalton. After the play the evening will conclude with a jolly dance.

Mrs. Thomas P. Whitelaw of San Francisco has been the guest for the past week of Mr. and Mrs. Robert Kennedy and will return home in a day or so.

Dr. and Mrs. William Wirt Craycroft returned on the Owl last night from their honeymoon trip to Del Monte and San Francisco. They will begin housekeeping immediately in their pretty new home on North K street, which has been beautifully fitted up for their occupancy.

Mr. and Mrs. Will Fitzpatrick of Iowa are expected today on a visit of a week or more with relatives in Fresno. They will be the guests for a few days of their cousin and his wife, Mr. and Mrs. Fred Prescott, and will also visit the P. K. Prescotts and the C. S. Pierses, the latter giving a little dinner for them on Wednesday evening.

The members of the Ergatican circle will meet this afternoon at the canal house with Mrs. Evelyn Glenn Johnson at the home of her parents on Calaveras avenue.

Miss Biddle Woods of Sanger, who is a frequent visitor in Fresno, will leave for San Francisco the latter part of this week, going from there to Santa Barbara, where she will spend the rest of the winter.

A postponed meeting of the Friday Study club was held yesterday afternoon at the residence of Mrs. W. M. Daniel on Glen avenue. With Mrs. W. M. Miller was begun the reading of "Romeo and Juliet," opening with a short talk by the leader outlining the work and giving a general idea of the study scheme. Parts were assigned and topics for the concluding papers given out previous to the reading of the first act, interspersed with interesting discussion. Mrs. C. G. McDonald of Antioch was a visitor. The club will meet on Friday of this week with Mrs. J. H. Newlin on Van Ness avenue.

Miss Nora Kenyon has arrived from Los Angeles on a visit of several months with Mr. and Mrs. H. C. Gill. Miss Kenyon is a former Fresno girl and very popular among her friends here, who will probably make her visit the excuse for a number of pleasant little affairs.

On Nov. 27th in Sacramento occurred the marriage of two well-known Fresnoans, Miss Nellie Waggoner and E. L. Young. The bride has numerous friends in Fresno and the surrounding country, who will remember her for her many lovely qualities of character which endeared her to a wide circle. The newly-wedded pair will make their home in Sacramento.

Mr. and Mrs. Frank H. Short leave on Thursday noon for Washington, D. C. to be gone several weeks on a trip of combined business and pleasure.

Mr. and Mrs. Frank Ryan returned to Los Angeles on Sunday night, after a pleasant Thanksgiving visit with the latter's parents, Gen. and Mrs. M. W. Miller.

DOUBLY WELCOME RAIN

Drove Away the Cold, Cleared the Atmosphere and Will Start the Grasses.

Yesterday's rain was doubly welcome as it drove away the unusual cold spell that had taken hold of the valley and purified the atmosphere. The downpour was not sufficient to start plowing on any extensive scale, but will be of much benefit to range grass. Cattle and sheepmen were beginning to feel the need of rain.

The storm was rather a vagrant one, coming over the Tehachas located. Up to 5 o'clock last evening from Arizona, where the center was the precipitation was 23 inch and intermittent showers lasted well through the night. Showers and clearing are forecasted for today.

Lehnhardt's Candy

In San Francisco and Oakland it is essential that one gift of candy bear the name

"LEHNHARDT'S"

If you would show yourself familiar with this little courtesy see that your next gift carries on the potent name.

Mail us a P. O. or Express money order and we will do the rest.

One pound box 75c
Two pound box \$1.35
Chocolate or French mixed.
Put up in heat resisting moisture proof packages.

LEHNHARDT'S
1159 Broadway — Oakland, Cal.

At the paragonage of the St. Paul's church at noon yesterday occurred the marriage of Miss Jessie Oviatt and J. H. Vandiver, young people from Monrovia. The bride, who is quite youthful, was attired in a becoming gown of white silk. S. A. Shanon and W. J. Fales were the only ones present at the ceremony, after which there was a luncheon at the Grand Central, and later the newly-wedded pair took the afternoon train for Don Potos, where they will begin housekeeping.

Gen. Tyne Bell chapter, United Daughters of the Confederacy, met for its regular monthly session yesterday afternoon with Mrs. Marvin P. Holmes at her home on Van Ness avenue. The chief topic of interest in the business of the meeting was the proposed project of the Confederate Veterans' home, which the state body is endeavoring to establish in some desirable location. It has been proposed that the General Bell chapter procure some land about Fresno, and other chapters of the state are already prepared to erect a number of cottages to accommodate the aged and infirm veterans who need to be cared for. This question will probably be decided at the next meeting. Meantime suitable land for this purpose will be inspected by various members of the local body. It was the first day which the newly-elected president, Mrs. S. L. Strother, had been able to be with the members and a cordial greeting was extended by her friends. On the 19th of January the ladies will observe the birthday anniversary of Gen. Robert E. Lee with some sort of social affair in accordance with the custom of the chapter. Final arrangements for this event will be made at the January session.

Mrs. P. N. Russell has returned from a most delightful Eastern trip, upon which she accompanied her father, Judge Bridgeford, of San Francisco. She was accompanied by her small son, DeWitt Russell. They visited relatives in Kansas City and St. Louis and stopped a week or two in Chicago, besides several other Middle West points.

A meeting of the members of St. James' guild of the Episcopal church will be held today at the home of Mrs. William Davidson, 1741 K street.

Mr. and Mrs. G. T. Willis are spending the week at Porterville taking in the citrus fair which is in progress there.

One of the merriest of the Thanksgiving gatherings occurred at the home of Mr. and Mrs. Alex Pearson on Church avenue. Tasteful decorations of pepper boughs and chrysanthemums made the rooms attractive, and the dinner table was beautiful with smiles, roses and chrysanthemums.

An afternoon of games and music was enjoyed by the following guests: Mr. and Mrs. John Pearson, Mr. and Mrs. Gus Pearson, Mr. and Mrs. Peter Hyland, Mr. and Mrs. G. Arlandson, Mr. and Mrs. A. Colson, Mr. and Mrs. L. Nelson, Mr. and Mrs. T. Anderson, Mr. and Mrs. E. Anderson, Mr. and Mrs. J. Stockholm and Mr. and Mrs. V. Lindburg; Misses Anderson and Alfred Bylund, Florence and Edith Bylund and Elma Lindburg; Lambert Nelson, Albert Colson, Leonard Colson, Bertie Nelson, Frank Pearson and Vernon and Carl Stockholm.

A very pretty wedding was solemnized Tuesday evening, Nov. 27th, when Mrs. Lathia Teckitt of Fresno became the bride of George Conrad, the ceremony taking place at the home of Mr. and Mrs. George A. Woolley, No. 15 Devela street, San Francisco. The Rev. H. E. Mines of the California Street M. E. church performed the ceremony, at which only relatives and very intimate friends were present. After partaking of a sumptuous supper, Mr. and Mrs. Conrad went to their own home, where they were surprised to meet Mr. Conrad's business associates, who had gathered there with many tokens of their esteem, and while awaiting the arrival of the bride and groom had decorated the house attractively with flowers and gifts. Mr. Conrad is associated with one of the leading furniture houses of San Francisco.

The Ladies Aid society of the Congregational church will meet this afternoon with Mrs. S. S. Hockett, No. 1044 K street.

HOOR OF SUNSET FIXED HIS CRIME

Burglary in First Degree Was Settled By Fact That Night Had Fallen.

OAKLAND, Dec. 3.—The time that the sun set on November 10th played an important part in Judge Harris' court today in the sentencing of Hugh Sullivan for stealing tools.

The evidence at the preliminary examination of Sullivan showed that the crime was committed after 5:10 p. m. on November 10th. If the sun set before that time on that day, the crime would be burglary in the first degree; if after that time, burglary in the second degree, as the law marks the change from day to night by the setting of the sun.

Judge Harris ascertained that on November 10th the sun set at 4:50 p. m. Sullivan, who had pleaded guilty to burglary without reference to the degree, was therefore adjudged by the court guilty of burglary in the first degree and sentenced to two and one-half years in Folsom.

QUARREL OVER DOG CAUSED RABBI'S DEATH

Infuriated Farmer Lashed the Hebrew Leader and Fall Broke His Neck.

VANCOUVER, B. C., Dec. 3.—A special to the Province from Beckenham, says: A Jewish rabbi was roped by a farmer named Barnes and killed, as a result of a quarrel over a dog. The rabbi was driving past Barnes' home when the dog ran out and snarped at him. The rabbi struck the dog with his whip.

The farmer became infuriated and jumped on a horse and started after the man. The latter fled, but was overtaken and caught by a rope, carried by his pursuer. He was caught around the head, jerked from his buggy and thrown to the ground. His neck was broken by the fall. Barnes was arrested.

"STRONGHEART", PLAY OF YOUTH

Youth predominates "Strongheart," the American comedy drama of college life in which Robert Edeson will be seen in this city at the Barton House.

Although "Strongheart" is serious in theme, Mr. Edeson has provided comedy in plenty; good, youthful, healthy, clean comedy, for it breathes the college spirit, particularly when football is in the air, and pictures vividly the excitement attendant upon the big game of the season. It reflects the days that are a delight to recall—the days of youth, of spontaneous fun, of frolic, of fraternities, of campus heroes and boy and girl love affairs.

FRUIT MEN AT HANFORD

Important Gathering of State Growers.

Governor Pardee Will Discuss the Proposed New Tax Scheme.

HANFORD, Dec. 3.—The meeting tomorrow of the state fruit growers will be an important gathering, and will be attended by Governor Pardee and prominent fruit growers from all parts of the state. Lieutenant Governor Anderson is also down for an address.

It is the thirty-second annual meeting of the orchardists and vineyardists of the state, and meeting in conjunction with the fruit men are the relations of the California State Horticultural commission and the Pacific Coast Association of Nursery men. The nursery men will hold their session Wednesday morning and the horticultural commission's session will take place Wednesday afternoon.

The fruit growers will devote four days to business and on the fifth will take an excursion to attend the citrus fair at Porterville, where the prominent fruit growers who have already arrived are Elwood Cooper, accompanied by his wife, and John Isaac, secretary of the state commission.

The convention will be called to order at 9:30 o'clock tomorrow morning in the Hanford opera house and the first business will be organization. The invocation will be by the Rev. J. W. Mount. H. A. Beckwith, chairman of the Board of City Trustees of Hanford, will welcome the visitors and the response to the words of greeting will be made by E. L. Smith, a prominent fruit grower.

The opening address will then be made by Elwood Cooper, who has been president of the State Fruit Growers for many years. He will review the history of the fruit industry of the year and will deal with the problems of marketing and transportation. The annual address will largely shape the deliberations of the convention.

Governor Pardee will also deliver an address, in which he will discuss the proposed new tax scheme which a legislative committee and a tax expert have been working on.

An address by J. D. Biddle will conclude the morning session.

For the afternoon the following program is announced:

Table Grapes: Growing and Packing—Mrs. Minnie E. Sherman
White as a Honey for the Fall of Intemperance—A. Shattuck
The Fruit Grower's Aim—H. C. Bowley
Growing the Eucalyptus—Dr. W. H. Miller

Appointment of committees.
In the evening a reception will be given the visitors at L. O. F. temple. After the reception, a banquet will be given the visiting fruit growers in Armory hall.

INTERURBAN CARS OF BUTTE COUNTY CO. HAVE BEGUN OPERATION

MARYSVILLE, Dec. 3.—The interurban cars of the Northern Electric company began service today, running eight trains each way daily between Marysville, Chico and Oroville. Street car service has not yet been installed, but will be within a few weeks, work on the tracks being now under way.

There is not an old person on the stage. The scenes of "Strongheart" are peopled with fresh faced youths and pretty girls. The charm it exerts over the theatergoer is unmitigated and yet it is no wise interference with the strong dramatic interest of the story, for amidst the fun and gaiety stands the figure of the Indian who speaks their tongue, who thinks their thoughts and yet because of his color is not one of them. He too is young, but before the play ends he finds himself confronted with his life's problem—one that will shadow his mature years. The sale of seats will open this morning at 9 o'clock.

WATCH THIEF WANTED, FOUND IN MERCED

Richard Turner Under Six Months' Sentence in Northern Town.

Richard Turner, wanted here for the theft of a gold watch from W. Schwap, has been located at Merced, but is so firmly fixed behind prison bars that the local authorities will have to wait six months before they can have him turned out of the culprit. Turner came to Fresno last week and put up a hard luck story to W. Schwap, who is a well known man, about being unable to find work. Out of sympathy for the man Schwap got him a job and permitted the stranger to room with him. Turner remained one night and then left. Schwap did not mourn the loss of his new acquaintance half so much as he did the \$40 gold watch and \$5 in gold which said acquaintance took from his benefactor's trunk.

The police were notified and sent out descriptions of the missing man. From here, Turner went to Merced on the Southern Pacific and en route sold the plundered watch to a brickman.

Shortly after his arrival in Merced he rented a room from a stable and went driving about the country. He treated the team so cruelly that one of the horses died. He was arrested by Sheriff Swan, and placed in jail for two months. The Fresno police will take their time and await his release, when he will be brought back here to face the charge of petty larceny.

MINISTERS WILL FORM READING CLUB

Works on Theology to Be Studied and Then Contributed to Public Library.

At a meeting of the Ministerial Union yesterday forenoon the members decided to buy about a dozen volumes of theological works to be read in turn by some members of the union, and reviewed at the following meeting. When the reading club has completed the study of the books, they will be contributed to the public library. It is estimated that about \$25 will be expended in securing the latest and most authoritative publications on the subject. Rev. A. C. McKee made his report on the Thanksgiving service, which were considered entirely satisfactory.

ANOTHER GEORGE KEENAN IS IN SAN FRANCISCO ON JAPANESE SITUATION

SAN FRANCISCO, Dec. 3.—George Keenan, author, lecturer and war correspondent, is in California to investigate the Japanese situation and to prepare a series of articles for an Eastern magazine. He called today at the rooms of the board of education, but refused to express himself on the Japanese question.

Baker's 974 for coughs and colds, at Baker & Co.'s.

WOMAN COLLAPSED IN BAKERSFIELD COURT BUT PRISONER IS FIRM

BAKERSFIELD, Dec. 3.—In the trial of Bernam Williams, charged with the cold blooded murder of her husband, Mrs. James Vandever collapsed after hearing from the stand a graphic description of the manner in which Vandever was shot to death at Delant last May. The woman was carried from the court room, and although the eyes of the jury, the court and spectators were moistened by the pathetic scene, Williams gave no sign of emotion. The prosecution closed its case today.

Canal Engineer Resigned.

PANAMA, Dec. 3.—It was reported here tonight that J. G. Sullivan, assistant chief engineer of the isthmian canal commission, had resigned. He was appointed in October, 1903.

BARTON HOUSE

ROBT. G. BARTON, MGR AND PROP.

One Night
Friday
Dec. 7
Seal Sale
Opens Tuesday

The Dramatic Event of the Season
ROBERT EDESON
Management Henry B. Harris.
THIRD YEAR of the Greatest Success on the American Stage.
"STRONGHEART"
PRICES 50c 75c \$1.00 \$1.50 \$2.00

Fire Sale

Stock Men and Grain Buyers Take Notice.

About 2500 tons of Barley and Wheat at Madera, Cal., damaged by fire. Divided into 4 lots—Nos. 1, 2, 3 and 4. Lot No. 1 Good Seed Wheat and Barley. Lots 2, 3 and 4 good Feed.

Sealed bids for each lot separately will be received and opened by D. A. Spencer, adjuster, on December 10th, 1906, at 3 P. M., at the office of Rosenthal, Kutner & Co., Madera, Cal. Right reserved to reject all bids.

Grain can be seen and sampled at any time. Apply to Rosenthal, Kutner & Co., Madera, or D. A. Spencer, 482 California street, San Francisco, for information.

MALICE OF NEIGHBORS

Causes Needless Inspections of Livestock.

County Veterinary Longley Makes Complaint in Quarterly Report.

A favorite form of persecution with some persons is to report to the authorities that their neighbors have violated some of the laws or are maintaining nuisances. County Live Stock Inspector Otis Longley complains in his quarterly report to the Board of Supervisors that he is caused a great deal of trouble by false complaints of the maintenance of diseased stock, causing him long trips and examinations for nothing. His report is as follows:

"Blackleg is now prevalent in all parts of the county, but the losses are small because vaccination is generally practiced, which is the only recognized method of combating the disease. The losses from Texas fever have not entirely ceased as the cold weather causes the ticks to become inactive. Several horses were subjected to the mullen test for glanders, three of which were condemned and three of which were inspected and found free from contagious disease. Some of these cases apparently are reported through malice, where a personal feeling between neighbors exists, which causes many miles of useless travel each month."

ARIZONA STREAMS ARE BOOMING DANGEROUSLY

Alarm Experienced Last Big Works in Irrigation Enterprise Be Damaged.

PHOENIX, Ariz., Dec. 3.—Continuing rains in the watershed during the past week have resulted in a big flood coming down Salt river. It is supposed that the crest is passing the Roosevelt damsite, seventy miles above Phoenix, late this afternoon, with a volume of 20,000 feet per second. Twenty-five miles above Phoenix, the Verde river is swelling thousands of feet per second and trepidation is felt concerning the bridge at Mud creek. By telephone reports the contractors were well warned and are prepared to resist the flood. The machinery has all been removed from the canyon and the only damage feared is the loss of time necessary to remove water and debris from the excavation after the flood and to rebuild the crest of the coffer-dam which has been swept away.

ALPHONSE NEWHOUSE.

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334 1 St. Phone Main 2451.
 1st RENT—One furnished stu-
 dent-keeping rooms on first
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 nished, gentlemen preferred; reference
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 nished rooms for house-keeping. 341 N
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 Francisco Hotel, corner J and Market.

OR RENT - A newly furnished room for one or two ladies; conveniences. Enquire 1439 O St.

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ARM - SLEAZY ROOMS, furnished with gas and wood stoves, \$6.00 per week.

OR RENT -Two house-keeping rooms in private house; bath and gas. Fresno St.

FINISHED house-keeping room. \$5.00 per week.

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OTEL, PORTLAND—Opposite theater, furnished rooms, Tr solicited. Phone Main 500.

THE ABBOTSFORD—Nicely furnished rooms at reasonable rates. 444 Columbia St.

OR RENT—Furnished rooms and housekeeping, 444 J. Main.

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ING RENT—Two furnished houses, 732 J street, near

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 In... street, near...

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 Located in best residence
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FOR RENT—5-roomed cottage, improvements. 115 Glenn Ave. **FOR RENT**—House of 6 rooms, 1400 Clara ave. Rent \$8 per month, neighborhood. Enquire of E. E. Lhop, Phone Red 1331.

FOR RENT—Five and six-room flat furnished for housekeeping. Titlere and 959 V St. Apply in person, 1152 J.

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FOR RENT—Two-story, brand new, 10 rooms, 1000 E. 12th St.

—FINE LARGE—
Upper floor over 1031 J
for rent cheap.
Good—office—room.
Will remodel to suit ten
inquire Within.

WANTED-To rent improved
10 or 20 acres; cash rent.
P. L. Hursh, Fowler, Cal.
FOR RENT-New upright piano
R St. Phone Black 105.
FOR LEASE-Furnished hotel
rooms. Apply at premises
no house; M and Tulare Sts.
FOR RENT-Good barn cheap
Main 1625.
FOR RENT-Store, situated
Tulare street. Apply to
Matingly, 1009 I street.
FOR RENT-3000 acres impr

land. Address J. W. Hogan
Cal.
FOR RENT—Cool rooms with
private family; 824 M street.
FOR RENT—Knights of Pythias
Friday and Saturday nights.
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young ladies or gentlemen.

ROOM, 410 J St.

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ROOM AND BOARD may be had at the Hotel Palms at low prices.

FOR RENT—Furnished room and board; choice location. **14th Avenue.**

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GEORGE A. CUSTER CIRC

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third Saturday afternoon
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ESTRAYED—From Helm brown horse mule 12 years about 1050. Branded 22. Finder please notify Helm

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GAMBLING DOOR ORDINANCE CONSIDERED UNCONSTITUTIONAL

But Judge Church Would Not Make Final Decision on Demurrer Preferring the Case to Come to Trial—Trititt Murder Trial Is Begun Before Judge Austin—Mrs. Hand Gets Part of Mallory Estate—Other Court Matters.

That Judge Church will knock out the ordinance of this city forbidding the erection of gambling halls in Chinatown, is practically understood in this city. The ordinance, which was passed by the city council, has been challenged by the city attorney, and the case is now before Judge Church. The judge has refused to make a final decision on the demurrer, preferring the case to come to trial. The ordinance, which was passed by the city council, has been challenged by the city attorney, and the case is now before Judge Church. The judge has refused to make a final decision on the demurrer, preferring the case to come to trial.

In overruling the demurrer, the court stated that he was very much in doubt whether, under the constitution of the state and the acts creating municipalities, this or any other city had a right to pass such an ordinance. His criticism of it was that as drawn it gave to the police the power to decide whether doors were legitimate in one part of town and contrary to law in another, without specifying what conditions or circumstances would constitute the distinction. The placing of this arbitrary power in the hands of the department by the ordinance, he considered, violated the act and carried with it a determination of the suit in favor of the plaintiff.

At the same time, said Judge Church, he did not wish to consider the matter without full consideration of the ordinance, and would allow the case to come to trial. Therefore, he would permit the city to enter answer to the suit and to grant a hearing.

City Attorney Ewing, when asked about the matter last evening, stated that he had not been present at the time the ordinance was overruled, and did not know whether this decision would of itself decide the case. If Judge Church based his refusal to sustain the demurrer on the ground of the unconstitutionality of the ordinance, of course it would look very bad for the final determination of the suit.

The city trustees passed an ordinance several years ago forbidding the erection within the city of doors of a certain thickness and of certain materials and gave the police department the right to enforce the law. It is this provision that is now attacked on the ground that it gives too arbitrary power. Shortly after the ordinance was first passed, the hands of the police were tied up by means of a temporary injunction, and this is the first time a hearing has been held. The trial of the issue in the case will be awaited with great interest.

Trititt Jury Secured.
The trial of Jesse Trititt on a murder charge was begun yesterday morning before Judge Austin, but all that was accomplished was the selection of the jury. Even this was considered good progress by the attorneys in the case. The prosecution expects, however, to put on all of its evidence today, and the trial, as a whole, will not be a long one.

Trititt is held on account of his killing on June 21st last of James M. McMullen in the negro quarter of this city. McMullen and Trititt, both colored, were rivals in the offerings of a

girl of their race, and McMullen had been out on the evening in question. The two lovers were sitting on the front porch of her home at the corner of P and Tulame streets, when Trititt came up and shot both man and girl, the man dying in half an hour. The murderer was found the next day in a hay loft. The girl recovered from her wounds.

Friends of McMullen have retained Attorney W. D. Foote to assist Deputy District Attorney Kauke in the prosecution, and S. J. Hinds is defending Trititt. Friends of both Trititt and McMullen thronged the corridors and the hearing today will certainly be well attended.

The only issue that appeared in the examination of jurors yesterday was whether the fact that the defendant was a negro would have any weight with them, and only one man gave any intimation of such an idea. Of the thirty men in the venire, six had been excused by the court, and twelve were summarily challenged. The jury is as follows:

A. H. Smith, Ray White, S. J. Hinds, R. S. Woodward, H. B. Bisset, W. Brooks, F. S. Hagley, C. H. Howard, J. W. Jackson, T. J. Duncan, H. W. Tison and Jerry Baker.

Mallory Estate Compromised.
The struggle over the possession of Thomas Mallory, who died in this city about two years ago, leaving about \$25,000 worth of property and only \$10,000 in cash, came to an end yesterday with the decision entered by Judge Church in department two.

This decision was practically a compromise of the case, done according to due judicial procedure. The case was not a contest of a will, for there was no will, and the heirs are the brothers and sisters of the deceased, all living in the East. But Mary Louise Mallory, a niece of the deceased and not her sole heir, laid claim to all the property on the ground that her uncle had stipulated that all he had should be hers when he died, in return for her living with him as his daughter.

The decision gives the niece, who some time ago became Mrs. George Hand, and under the name of Mary Louise Hand sued Public Administrator Childenden for the property, possession of a colony lot on East avenue worth about \$12,000. Mallory bought this lot from Mrs. William Starrett after his niece came to live with him, and she produced witnesses to show that he had deeded it to her, although it had never been recorded. He put the document in his pocket, and it was never seen again.

Crescent Canal Joins Litigation.
Another company has become a party to the litigation over the question of the amount of water that may be taken from Kings river south into Kings county, adversely to the interests acquired in Fresno county on the north side of the river through years of usage. Yesterday, the Crescent Canal company,

through Short & Cook, intervened in the action commenced a year and a half ago by the Sanborn Canal and Irrigation company against the Lower Kings River Water, Ditch company, Lake Land Canal and Irrigation company, and the Union Water and Ditch company. The intervention is against the defendants, who are it is claimed, taking water from the lower branch of the north fork of the river that would otherwise run into the Crescent canal.

Grave Charges Against Wife.
That Mrs. Patricia Corras is an immoral woman and also neglected in a shameful manner their three small children, is the charge of Abraham Corras, through Attorney E. D. Edwards, that he ever beat or choked his wife, and says that her conduct compelled him to take the three children to Fowler.

The case of D. L. McKee against W. N. Graham has been set for trial on January 15th before Judge Austin. This is a suit for commission fee.

The suit of the Fresno Estate company against J. J. Bennett for rent has been set for January 15th.

Trial of the suit of Manuel Diaz against Rosa Marks is set for January 15th.

Neither Side Wins.
Neither N. P. Jensen nor Mary L. Hines and E. M. Hines make any thing out of the suit recently tried before Judge Church. A judgment was entered yesterday giving nothing on either complaint or cross-complaint.

Jensen asked for \$825 for work in planting vines and the defendants asked for \$175 damages for all performance of the work. Sutherland & Barlow and George W. Cherry and N. L. Caldwell were the attorneys in the case.

Other Civil Proceedings.
J. Allen, through Attorneys Frank Kauke and Ernest Klette, has answered the suit of the A. L. Hobbs company for non-delivery of raisins. Allen says that he delivered all the raisins promised under the contract, twenty-six and not fifty tons, and that the company failed to pay for them.

Louis Kutner has joined with A. D. Chance in the effort to have the suit of Dr. H. Gazarian against them and others dismissed. The hearing will take place on December 10th at which time it will be decided whether the case is one of slander or conspiracy or both.

Probate Matters.
The August Winter estate was set aside for the use of the widow, Mrs. M. L. Winter. The property consists of 75 acres in Section 15, 22, 23, 24 of T. 12 N. and R. 12 E., 12 S. Sales of real estate from the estates of D. M. Swift and others and that of S. L. Miller were continued.

James S. Kerr, formerly county recorder, has been appointed administrator of his wife's estate.

William Poole, M. H. Whitman and A. E. Way were appointed to appraise the Mary D. Eshleman estate.

One Hundred Days for Battery.
Louis Alameda, a Mexican living near Sanger, was sentenced yesterday by Judge Walton to serve 100 days in jail for battery. Alameda in an altercation with a neighbor woman had struck her and she had him arrested.

Deputy District Attorney Barbour went over from Fresno to attend the trial.

Dr. J. L. Martin.
Physician and Surgeon. \$5000 equipment. Latest and most successful methods of examination and treatment. X-ray, Finest Light, etc.

Rine Main 87.
For your drug wants. Prompt service.

THIS FATHER IS A BRUTE
Clutches Money While Daughter Goes Blind.
Won't Pay for Operation, But Digs Up \$50 to Keep Out of Jail.

The second trial of A. L. Bensch, charged by the Fresno Humane society with neglect to provide treatment necessary to save his 12-year-old daughter from blindness, came up before Judge Walton at Sanger yesterday and resulted in conviction. Deputy District Attorney Barbour conducted the prosecution, and William Harvey attended on behalf of the Humane society. The child has suffered for two years with cataracts, an opacity or scale of the cornea, which can only be cured by an operation. The father has persistently refused to have an operation performed, alleging that it is too expensive. On Oct. 20th he was given one month in which to attend to the matter, and promised to do so. He failed to keep his promise, and criminal proceedings were brought. He was yesterday found guilty of cruelty and neglect and fined \$30 or fifty days in jail. He paid the fine.

It was brought out in testimony that the child was brought to Dr. Walker for examination two years ago, at the request of her school teacher, Miss Jennie Butler, and Dr. Walker at that time told the father that if the scale was not removed the child would go blind. Since that time she has become totally blind in one eye, and the opacity has grown until it covers the lower half of the pupil of the other. The sight of at least this eye can still be restored by operation. Bensch has again seen the oculist, since his last trial, but refused to have anything done on account of the expense.

Bensch stated on the witness stand that he could not afford to have the operation performed, and would not do so. He said that the law would not interfere between a father and his child, and he would do as he pleased. Though he could not afford \$100 to save his child's eyes, he promptly dug up \$30 when confronted with the possibility of going to jail himself. Cross-examined as to his ability to pay, he stated that he owned a 40-acre vineyard, had \$1,500 loaned out on mortgages, and had \$200 still due him on notes for money loaned in South Dakota. He called witnesses to show that the sight of the child has recently improved. This was explained by the fact that he has been giving her belladonna, which temporarily enlarged the pupil making a larger aperture to see through over the scale.

A PROMISE OF COAL
Fuel Famine May Not Last Much Longer in Fresno.

R. C. Dorsey is back from San Francisco where he went to investigate the fuel situation. The Western Fuel company, which controls the Wellington supply, has from 15,000 to 20,000 tons coming out in vessels from British Columbia, and Mr. Dorsey was promised 150 tons of the first consignment. In San Francisco the price for Wellington is \$15 a ton and the freight and cost of handling bring the price up to \$18 in Fresno. Mr. Dorsey says that if he can get 150 tons ahead, with later shipments from the local situation can be very nicely handled. There is plenty of cars to bring coal down from San Francisco, but no cars in the valley to bring in wood. Dorsey Robinson has 3500 cords on the Porterville branch, but thus far have been unable to get cars. In the meantime wood orders are being limited to half cord lots. The price is \$8 delivered or \$7.50 at the yard.

CASES OF DIPHTHERIA
School Authorities Take Precautions to Prevent Any Spread of the Disease.

While there is no epidemic of diphtheria, the report that the case that caused the death of Lillian Green was the first in Fresno, turns out to be incorrect. Mr. and Mrs. Green, parents of the child, state that the contagion was brought home first by their older daughter, Violet, from the Columbia school. There were several cases among children who had been attending the Columbia school, and there are some cases on the eastern part of town. Two cases thus far have proved fatal.

City Superintendent McLane states that in cases as alleged to develop in the school rooms. The teachers are particularly careful about having children in school with sore throat and any child who is so is removed from school until it is resolved in favor of the afflicted child being sent home until time determines whether it is merely a simple case of sore throat or incipient diphtheria.

The law requires the health officer to report to the city superintendent every case of diphtheria among school children and everything is done to protect the health of the children who may have been exposed.

BLASTING HARDPAN
SHOOK THINGS UP

In blasting the hardpan for the excavation of the Cooper building on Tulare street, adjoining the Masonic Temple, yesterday noon, the concussion nearly brought W. M. Went's latrine adjoining on the south, down into the hole. The fence came tumbling over, and oil tanks that supplied the Universal restaurant were toppled over. Poultry coops were whirled around in a manner to make one lay. The trouble occurred just before the noon hour and put the restaurant temporarily out of business. Mayor Lyons examined the walls of the Masonic Temple building, which he owns, but found them undamaged.

Rhyolite Has Heavy Rain.
RHYOLITE, Nev., Dec. 3.—A heavy rain began at 12 o'clock last night and continued this afternoon with no perceptible decrease. The amount of precipitation for the storm is unprecedented in this section of the state.

JAPANESE IN THE HAWAII
Immigrants Said to Be All of Army Training.

Those Who Have Arrived and Those Expected Said to Be Picked Men.

HONOLULU, Dec. 3.—Indications are cropping out that the Japanese who have been arriving here for some time past, as well as those who have been granted passports and who will arrive in the future, are picked men with military experience.

The first stone of an addition to the Protestant Episcopal cathedral of St. Andrew's was laid with much ceremony by Bishop Bestwick on November 23rd. The corner stone of the cathedral was laid in 1897 by King Kalanikualae V.

Dr. Walter Brinckerhoff, who is to have charge of the leprosy investigation station on the island of Molokai, is here engaged in the study of a leprosy-like disease which exists in animals. He is seeking to find its relation, if any, to leprosy in the human system.

Delegate to Congress J. K. Kalam, made, expects to leave for Washington December 10th.

President H. P. Baldwin of the Hawaiian Sugar Planters' Association, in his address at the annual meeting of the association, said the labor situation here was much improved and seriously unsatisfactory. He suggested Spain as a possible source of white labor for these islands. Plans for the location of 1300 Portuguese and 300 Filipinos, soon to arrive, were discussed at the meeting and the laborers assigned to various places.

F. Y. Idzuma, representing Sale and Frazar, the amalgamation of the American and British railroad and shipping firms in Yokohama, whose steamship, the Swallow, is in port, says there are at least 100,000 Japanese in Japan ready to come to Hawaii. The laboring classes throughout the interior portions of Japan are beginning to hear of the opportunities they are told exist here and are showing a desire to come.

Y. M. C. A. Health Lecture.
The second health lecture given by Dr. R. S. Anthony before the Y. M. C. A. was largely attended, notwithstanding the inclemency of the weather. A particularly interesting feature to the young athletes was a demonstration of the action of the lungs. T. E. Twining, the bacteriologist, showed microscopic tests of blood, with interesting explanatory remarks.

Pullman Company's Poor Milk.
BEAVER, Pa., Dec. 3.—At a hearing today no defense was offered by the Pullman Car company in the case brought against it by the state pure food commission, charging the company with supplying its patrons with adulterated milk. The company was fined \$75 and costs.

Wormiser Furniture Co.
Largest Smallest
Largest stock.
Smallest Prices.
You cannot afford to buy any furniture, carpets, lace curtains, etc., without first calling on us and seeing our enormous stock and our very low prices. Plain figures assure fair treatment; our guarantee and money back system make this a safe place to buy, and our terms are most liberal, both for buyers on time and cash customers.

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JAPAN'S PLANS FOR SOUTH AMERICAN TRADE
Steamers Will Be Placed on the Run From Yokohama to Chile.

SAN FRANCISCO, Dec. 3.—In confirmation of the report published several days ago, that Japan was preparing to enter into competition with the United States in the South American trade, word has been received from the Orient and confirmed by representatives of the Tokyo Kisen Kaisha Steamship line that its steamers will be withdrawn from the San Francisco run and sent to Chile.

General Manager Shiraishi, whose visit to this city has been in the interests of the line, said that upon the completion of modern 12,000-ton steamers, now building at Kobe, they would be placed on the run between this port and Yokohama.

That Japan will immediately enter the competitive field, Manager Shiraishi would not say. It will require almost two years to complete the vessels building, and until that time the American, Hong Kong and Nippon will continue to ply in their accustomed routes.

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Toyland Greetings

The toy department on the second floor is ready for the visit of the little ones.

We are splendidly ready too. There are all the old time favorites in toyland and there are many new arrivals. Many novelties from other lands—many useful presents. It isn't on the largeness of the display, nor the character of the toys, that we want to dwell, so much as on the ability of the store to save parents money.

We know that the coming days means a largely increased expense to all families. We know that if we are able to save them more money than ever before, it more firmly fixes this store in their good will.

We shall sell toys and other holiday goods on the lowest possible margin—just as we did for the Thanksgiving.

Just as we sell groceries and meats. The things that are most needed will be bought cheapest here.

Before you make a single toy purchase see what other stores are asking, then get our prices. The difference will quickly settle your decision. We know we are underselling all other stores, and we know such a comparison will make this your store.

Redlick's

Redlick's

Christmas Linens

These durable and desirable linens will be found very useful for the coming holidays. They are specially priced and should not be overlooked. Every day the linen sales here increase. The more our prices and values are compared with those shown elsewhere, the more emphatic the goodness of this store becomes.

\$1.25 table linen; 72 inches wide; pure linen. Special for yard **98c**
Napkins to match, doz. **\$2.98.**

\$1.50 Irish linen; satin finished; famous Gibbon damask. Special for yard **\$1.15**
Napkins to match, doz. **\$3.89.**

Linen sets. They comprise one dozen pure Irish linen napkins and one large pure linen table cloth all hemmed ready to use. A magnificent quality. The entire set is worth \$10, and will be on sale today for **\$7.98**

Today's Meat News
When the choicest of meats can be bought at these prices, it is easy to understand why people flock to Redlick's:

Pot Roasts, lb. **8c**
Shoulder Rib Steaks, lb. **8c**
Shoulder of Mutton, lb. **8c**
Breast of Mutton, lb. **8c**
Stew Meat, lb. **7c**

Redlick's

Redlick's

Dress Skirts Worth up to \$14.50 For \$1.98

It's an offer to make the pulse beat a little faster, to make footsteps hurry Redlickward. It's just this way: We have some 3 or 4 dozens of dress skirts to sell at this price. Some are worth \$5, some \$6, \$7, \$8 and up to \$14.50.

They are not all of this season's make, but they are very serviceable and useful skirts. They are in a variety of good colors and are really sensational values. Briefly the skirts are like this: 5 and 7 gored, in plain blues and browns, or in novelty mixtures. Some are trimmed with tailor straps and buttons, some in plain gored effects with welted seams, some with fancy plaited panels. Every skirt is all wool, full cut and in approved designs. Only one or two of each kind.

Now then we have given a frank description of these good skirts. Come and choose—but come promptly.

Umbrella Sale Today

Just in time! Leaky skies bring forcibly to mind the need of a new umbrella. We have just received some new cotton umbrellas that we are going to sell for less than the maker got. Umbrellas that are made over a 20 inch frame of steel; hand welted; fast black; patent runner; carved wood handle. An umbrella that is worth 85c to \$1. Today only **\$1.50 Umbrellas 98c.**

Good Gloria covering; Paragon steel frame; hand riveted; 26 inch size; very strong and serviceable. **\$3 Umbrellas \$1.98.**
Nearly a third less for this one day. Gans Bros. of Baltimore made them and they make none but good umbrellas. Finest of Gloria silk mixture; steel 26 inch frame; horn, bone or natural wood handle.
Other Umbrella Values.
\$3.50 Umbrellas for **\$2.40**
\$4 Umbrellas for **\$2.98**
\$5 Umbrellas for **\$3.49**
\$6 Umbrellas for **\$3.98**
\$7.50 Umbrellas for **\$5.98**